

By Mr. JOHNSON of Washington: A bill (H. R. 12667) for the extension of the immigration border patrol; to the Committee on Immigration and Naturalization.

By Mr. HAUGEN: Resolution (H. Res. 230) to investigate the national forests for the purpose of obtaining information concerning fire control, road and trail construction, grazing on public lands, control of predatory animals, and such other information as may be deemed valuable to the committee in the consideration of legislation with reference to the Government's activities in the national forests; to the Committee on Rules.

By Mr. CHINDBLOM: Joint resolution (H. J. Res. 353) providing for an investigation and report by a committee to be appointed by the President with reference to the representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities; to the Committee on Ways and Means.

By Mr. LARSEN: Joint resolution (H. J. Res. 354) to authorize and direct the Secretary of Agriculture to provide additional facilities for the classification of cotton under the United States cotton standards act, and for the dissemination of market-news information; to the Committee on Agriculture.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ARENTZ: A bill (H. R. 12668) to authorize the Secretary of War to lend War Department equipment for use at the Lincoln Highway Celebration at Ely, Nev., during the month of June, 1930; to the Committee on Military Affairs.

By Mr. ARNOLD: A bill (H. R. 12669) granting an increase of pension to Elizabeth Mitchell; to the Committee on Invalid Pensions.

By Mr. BLACKBURN: A bill (H. R. 12670) granting a pension to W. P. Owen; to the Committee on Invalid Pensions.

By Mr. BELL: A bill (H. R. 12671) for the relief of W. W. Giles; to the Committee on Military Affairs.

By Mr. BUCKBEE: A bill (H. R. 12672) granting an increase of pension to Edith Snyder; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12673) granting an increase of pension to Mary L. Merchant; to the Committee on Invalid Pensions.

By Mr. CHASE: A bill (H. R. 12674) granting an increase of pension to Leonora Sloppy; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 12675) granting an increase of pension to Annie E. Moorman; to the Committee on Invalid Pensions.

By Mr. DOUGLAS of Arizona: A bill (H. R. 12676) for the relief of Stanley A. Jerman, receiver for A. J. Peters Co. (Inc.); to the Committee on War Claims.

Also, a bill (H. R. 12677) for the relief of Rudolph A. Davis; to the Committee on Military Affairs.

By Mr. GAMBRILL: A bill (H. R. 12678) granting a pension to Sarah Ida Barnes; to the Committee on Invalid Pensions.

By Mr. HESS: A bill (H. R. 12679) for the relief of Kenneth G. Gould; to the Committee on Claims.

By Mr. GIBSON: A bill (H. R. 12680) for the relief of Julia A. Chase; to the Committee on Claims.

By Mr. GOODWIN: A bill (H. R. 12681) for the relief of Leon Lillienfeld; to the Committee on Patents.

By Mr. HICKEY: A bill (H. R. 12682) granting a pension to Lillian Ross; to the Committee on Pensions.

By Mr. HOUSTON of Delaware: A bill (H. R. 12683) for the relief of Herman H. Bradford; to the Committee on War Claims.

By Mr. JONAS of North Carolina: A bill (H. R. 12684) for the relief of Thomas C. Burleson; to the Committee on Military Affairs.

By Mr. KIESS: A bill (H. R. 12685) granting a pension to George H. Sawyer; to the Committee on Pensions.

Also, a bill (H. R. 12686) granting an increase of pension to Vina Daniels; to the Committee on Invalid Pensions.

By Mr. McKEOWN: A bill (H. R. 12687) granting a pension to Sally M. Bailey; to the Committee on Invalid Pensions.

By Mr. PITTEGER: A bill (H. R. 12688) granting a pension to Charles MacGregor; to the Committee on Pensions.

By Mr. HARCOURT J. PRATT: A bill (H. R. 12689) granting a pension to Edith Cross; to the Committee on Invalid Pensions.

By Mr. WATRES: A bill (H. R. 12690) for the relief of Daniel Williams; to the Committee on Military Affairs.

By Mr. WOLVERTON of West Virginia: A bill (H. R. 12691) granting an increase of pension to Mary A. McKisic; to the Committee on Invalid Pensions.

By Mr. WYANT: A bill (H. R. 12692) granting a pension to Hannah B. Kelly; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7395. By Mr. CAMPBELL of Iowa: Petition of the Sioux City Central Woman's Christian Temperance Union, of Sioux City, Iowa, requesting that Congress enact a law for the Federal supervision of motion pictures, establishing higher standards before production for films that are to be licensed for interstate and international commerce; to the Committee on Interstate and Foreign Commerce.

7396. By Mr. CULLEN: Resolution of New York Board of Trade (Inc.), recommending that the New York quarantine station be opened 24 hours of the day and that the same quarantine fees for special services should apply at the port of New York as now apply at other ports, and that additional personnel and modern equipment be furnished at the quarantine station; to the Committee on Interstate and Foreign Commerce.

7397. By Mr. GARBER of Oklahoma: Petition of J. B. Klein Iron & Foundry Co., Oklahoma City, Okla., in opposition to House bill 9232; to the Committee on Labor.

7398. Also, petition of F. G. Glessner, Ponca City, Okla., in opposition to House bill 9232; to the Committee on Labor.

7399. Also, petition of Harter Mercantile Co. (Inc.), Ponca City, Okla., opposing House bill 9232; to the Committee on Labor.

7400. Also, petition of American Federation of Arts, Washington, D. C., indorsing House bill 11852; to the Committee on Patents.

7401. Also, petition of State Bridge Commission of West Virginia, Charleston, W. Va., advocating elimination of toll bridges; to the Committee on Interstate and Foreign Commerce.

7402. By Mr. HALL of North Dakota: Memorial of the citizens of the city of Minot, N. Dak., for the increase of pay of officers and enlisted men in the Army, Navy, Coast and Geodetic Survey, Coast Guard, and Public Health Service; to the Committee on Appropriations.

7403. By Mr. HUDDLESTON: Petition of numerous residents of Jefferson County, Ala., in behalf of more liberal pensions for Spanish War veterans; to the Committee on Pensions.

7404. By Mrs. RUTH PRATT: Petition of Julia A. Berwind and about 1,000 other citizens of New York City and vicinity, in the State of New York, praying for the passage of House bill 7884, to prohibit experiments upon living dogs in the District of Columbia, Territorial, or insular possessions of the United States; to the Committee on the District of Columbia.

7405. By Mr. WALKER: Petition of Kentucky Parent-Teachers Association, Bowling Green, Ky., and sent by the parent-teachers' chapter of Nicholasville, Ky., urging that Congress enact a law establishing higher standards before production of moving pictures and that same be licensed both interstate and international; to the Committee on Interstate and Foreign Commerce.

#### SENATE

THURSDAY, May 29, 1930

The Rev. Jason Noble Pierce, D. D., of the First Congregational Church of the city of Washington, offered the following prayer:

Our God and Father, as the Memorial Day comes, we thank Thee for our country that it is one. We pray that the spirit of brotherhood and peace may fill the minds and hearts of our citizenry and that in this deliberative body Thy truth may be sought and Thy will done, to Thine eternal glory. Amen.

#### THE JOURNAL

The Chief Clerk proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. FESS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

#### MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Farrell, its enrolling clerk, announced that the Speaker had appointed Mr. KINCHELOE a manager on the part of the House at the conference in place of Mr. ASWELL, resigned, on the bill (S. 3531) authorizing the Secretary of Agriculture to enlarge tree-planting operations on national forests, and for other purposes.

The message also announced that the House had passed the joint resolution (S. J. Res. 49) to provide for the national defense by the creation of a corporation for the operation of the

Government properties at and near Muscle Shoals, in the State of Alabama, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

#### ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Vice President:

H. R. 5258. An act to repeal section 144, Title II, of the act of March 3, 1899, chapter 429 (sec. 2253 of the Compiled Laws of Alaska);

H. R. 5261. An act to authorize the destruction of duplicate accounts and other papers filed in the offices of clerks of the United States district courts; and

H. R. 9804. An act to amend the World War adjusted compensation act, as amended, by extending the time within which applications for benefits thereunder may be filed, and for other purposes.

#### CALL OF THE ROLL

Mr. FESS. Mr. President, I suggest the absence of a quorum. The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Glass	McKellar	Simmons
Barkley	Glenn	McMaster	Smoot
Bingham	Goff	McNary	Steck
Black	Goldsborough	Metcalf	Steiwer
Blaine	Gould	Moses	Stephens
Borah	Greene	Norbeck	Sullivan
Bratton	Hale	Norris	Swanson
Brook	Harris	Oddie	Thomas, Idaho
Broussard	Harrison	Overman	Thomas, Okla.
Capper	Hatfield	Patterson	Trammell
Caraway	Hawes	Phipps	Tydings
Connally	Hayden	Pine	Vandenberg
Copeland	Hebert	Pittman	Wagner
Couzens	Heflin	Ransdell	Walcott
Cutting	Howell	Reed	Walsh, Mass.
Dale	Johnson	Robinson, Ark.	Walsh, Mont.
Deneen	Jones	Robinson, Ind.	Waterman
Dill	Kendrick	Robison, Ky.	Watson
Fess	Keyes	Sheppard	Wheeler
Frazier	La Follette	Shipstead	
George	McCulloch	Shortridge	

Mr. SHEPPARD. I wish to announce that the Senator from South Carolina [Mr. BLEASE] is necessarily detained by illness in his family.

Mr. FRAZIER. I wish to announce that my colleague [Mr. NYE] is absent on official business of the Senate. I ask that this announcement may stand for the day.

The VICE PRESIDENT. Eighty-two Senators have answered to their names. A quorum is present.

#### MUSCLE SHOALS

The VICE PRESIDENT laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 49) to provide for the national defense by the creation of a corporation for the operation of the Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes, which was to strike out all after the resolving clause and insert a substitute, and to amend the title.

Mr. McNARY. I move that the Senate disagree to the amendments of the House, request a conference with the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Vice President appointed Mr. McNARY, Mr. NORRIS, and Mr. SMITH conferees on the part of the Senate.

#### ADJUSTMENT OF COMPENSATION OF CUSTOMS EMPLOYEES

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Treasury, submitting a draft of legislation to amend the act of Congress approved May 29, 1928, entitled "An act to adjust the compensation of certain employees in the Customs Service" (45 Stat. 955), so as to make certain changes therein, necessitated in the interest of good administration of the Customs Service by interpretations placed upon the act by the Comptroller General, and to afford relief to certain of the customs field employees of the Treasury Department, which, with the accompanying papers, was referred to the Committee on Finance.

#### NEWSPRINT INDUSTRY IN ALASKA (S. DOC. NO. 120, PT. 2)

The VICE PRESIDENT laid before the Senate a communication from the Secretary of the Interior, transmitting, pursuant to Senate Resolution 212, data in regard to the wood-pulp supply, power sites, transportation, and other matters entering into the possible projection of the newsprint industry into Alaska, and pointing out especially "the lack of definite information on the forests, coal, and water power of the great interior section

of 357,000,000 acres," which, with the accompanying papers, was referred to the Committee on Agriculture and Forestry and ordered to be printed with the illustrations.

#### CLAIM OF CORPORATION C. P. JENSEN, OF DENMARK

The VICE PRESIDENT laid before the Senate a communication from the Comptroller General of the United States, transmitting, pursuant to law, his report and recommendation concerning the claim of Corporation C. P. Jensen, of Denmark, which, with the accompanying papers, was referred to the Committee on Claims.

#### VIEWS ON PROHIBITION

Mr. JONES. Mr. President, in the Fifty-eighth Congress I served in the House of Representatives with Hon. Robert Baker, a member from the sixth New York district, he being a member of the other political party. He has written a poem which I am satisfied he would be delighted to have appear in the RECORD. I ask unanimous consent that it may be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. Mr. Baker's poem is as follows:

#### FREEDOM'S NEW DAWN

We see the wondrous progress which the Nation now has made,  
For many freed from liquor stand erect and undismayed;  
We hail the fuller freedom of the toilers in our land,  
And rejoice to see them reaping the blessings of God's hand.

For the people are enjoying the fruits of nature's gift,  
And the country is teeming with the evidence of thrift.  
Neither prince of mart, or travel, nor tyrant of the shop  
Can hinder its advancement or its progress ever stop.

Though gross appetites may chatter and greed assert its sway,  
The Nation is proclaiming the dawn of a glad some day.  
We are hearing now the call of the poor in other lands,  
And march with ardent fervor like the olden martyr bands.

We come from farms and forests, or where land does fallow lay,  
From the hillsides and mountains and the falling waters spray.  
Our country has a mission! A glorious one to-day!  
It battles for fulfillment and will sweep the dross away.

A mighty army marches in a momentous hour  
To show mankind that righteousness is the all-conquering power;  
It acclaim the day of blessing when all the world shall see  
That liquor's curse is banished and man stands erect and free.

ROBERT BAKER,

*Democratic Member of the Fifty-eighth Congress.*

BROOKLYN, N. Y.

#### PROFESSORS AND THE TARIFF

Mr. FESS. Mr. President, under date of May 24 there was an open letter addressed to the editor of the Boston Transcript commenting upon Professors and the Tariff. The letter was written by Harold C. Hanson, managing director of the American Trade-Mark Association. I would like permission to have it printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered. The letter is as follows:

#### PROFESSORS AND THE TARIFF

TO THE EDITOR OF THE TRANSCRIPT:

There is no modesty in the announcement made by newspapers, generally under a Washington date line, that a vigorous opposition to the passage of the Hawley-Smoot tariff bill was being voiced by 1,028 economists, representing more than 179 colleges.

Just what is there to the declaration of the professors who are members of the American Economic Association? They addressed their communication to President Hoover, Senator SMOOT, and Representative HAWLEY. The professors urge the President to veto the tariff measure if Congress passes it. There is only one thing that could get unanimity from a group of a thousand or more economists and that is something which would affect their pecuniary nerve.

Nothing is so sure to be affected by the protective tariff, as it is maintained in the United States, as the income of our people. It is fortunate that a great mass of the American people, both men and women, understand this thoroughly and know that under a protective tariff they are assured of a better earned income and that their living conditions are kept at a higher standard than when free trade threatens, or the tariff is reduced to a low basis as has been the case at three or four widely separated intervals in our history.

But the professors view the tariff from an entirely different angle than the public. The economists belong to the fixed salary gentry and have also the smugness that goes with a sheltered means of support. To them it is all-important that free-trade principles should prevail and that the purchasing power of their fixed salaries be augmented, so as to permit their buying merchandise at a presupposed cheaper price. This theoretical decrease in the selling price of American merchandise would first affect the wages of all workers in com-



petitive industries and in the unsheltered trades and professions. It is high time that the trade publications of this country, which are the only mediums that give due consideration to the problems of manufacture, should turn on the spotlight and expose the fallacies that are, again and again, paraded by the college professors.

One thing that can be set down at the beginning, these theorists in our educational institutions have never had "to hustle a pay roll" so as to fill pay envelopes on Saturday. These economists in their capacity as professors in our colleges are paid from large endowment funds. To trace the origin of some of these enormous gifts that have been made to colleges and universities in this country is to find that they are the result of money made by captains of industry who built up great organizations employing thousands of men and women on the American scale of wages and this was made possible by the almost unbroken continuity of the protective tariff policy of this country since its establishment in 1776. The first official act of the United States of America was to legislate on the tariff and to extend protection to home industries.

Under these circumstances it would appear even to a casual observer that the professors from their cloistered halls were poor pilots to guide the ship of state, and their eager willingness to sacrifice American wages and American standards of living so that their own fixed income might be augmented shows them as poor patriots.

Every man or woman with whom the average citizen brushes elbows is engaged in some kind of work that is immediately dependent upon the maintenance of general prosperity. Following the World War and the readjustments of 1920, our immigration restriction laws prevented hundreds of thousands of low-wage earners from other countries invading the American markets. The tariff passed in 1922 has proved a barrier to the excessive introduction of merchandise from foreign lands made by low-wage operators and under other low standards of operations which would have closed our factories.

The very people whom the professors think should be lined up with them in opposing the Hawley-Smoot tariff are in fact direct tariff beneficiaries. These include professional people (other than those on a fixed stipend or an emolument, such as college professors), bank clerks, hotel and newspaper workers, wholesale and retail trade operators, the building trades and scores of others. The professors say that these people produce no product which could be specifically favored by tariff barriers. Here again the professors fall short of making a complete and logical statement. The operation of business affairs in a protective-tariff country such as the United States works so that every one rendering any kind of service benefits equally with those employed in producing food products—articles for personal household use and those who are engaged in any other so-called basic industries. Without a high-wage scale for all, none of the workers in any field could maintain their mode of living as they do to-day in America.

It will be only a few days now before the lengthy bickerings that have been going on for more than a year in Washington will be at an end and this country will again move forward under a protective tariff that gives lavish awards to these same economists, in many instances affording them 100 per cent more pay than in any other country in the world, while giving only moderate protection to those in industries open to foreign competition. The professors have done the last dramatic stunt in trying to raise a whirlwind in opposition to American industries and labor being protected and their letters to President Hoover, Senator SMOOT, and Representative HAWLEY will fall as flat as did the 1927 round robin manifesto signed by European bankers and two Americans, who afterwards confessed that they didn't know what it was all about. It is a curious but actual fact that the economists have been absolutely wrong in their estimates regarding every tariff law that has ever been enacted. They are poor guides.

If the professors do not know it, they could find out with little inquiry that American business, including its millions of men and women wage earners, are waiting for a tariff bill to be signed and the country to move forward without further delay.

HAROLD C. HANSON,  
Managing Director American Trade-Mark Association.  
SPANISH WAR PENSIONS—VETO MESSAGE

Mr. SIMMONS presented sundry telegrams relative to the veto message of the President of the bill (S. 476) granting pensions and increase of pensions to certain soldiers, sailors, and nurses of the war with Spain, the Philippine insurrection, or the China relief expedition, and for other purposes, which were ordered to lie on the table and to be printed in the RECORD, as follows:

WILMINGTON, N. C., May 29, 1930.

Senator F. M. SIMMONS,  
Washington, D. C.:

Understand President has vetoed Spanish War veterans' bill, 476, which makes a moderate increase in pensions. That the bill should have passed Congress would imply its merits, and unless the President's reasons are conclusive think the veto should be overruled.

J. A. TAYLOR.

HENDERSONVILLE, N. C., May 29, 1930.

Senator SIMMONS,  
Washington, D. C.:

We respectfully urge you to pass S. 476 bill over the President's veto. Thanks for your loyal support.

WM. REDIN KIRK,  
Commander Camp William Shipp, Spanish War Veterans.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

C. E. CAUSEY.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

J. P. LOY.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

ASHLEY D. EDWARDS.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

J. H. BOYLES.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

T. B. HAYNES.

DURHAM, N. C., May 29, 1930.

Hon. F. M. SIMMONS,  
Washington, D. C.:  
Joe Armfield Camp, Spanish War Veterans, will appreciate your help with bill 476. It will be a needed help to membership.  
JOHN C. MICHIE, Commander.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

LOVE LOWDERMILK.

ASHEVILLE, N. C., May 29, 1930.

Hon. F. M. SIMMONS,  
Senate Office Building, Washington, D. C.:  
Asheville Camp of Spanish War Veterans earnestly request your help in securing repassage of Senate bill 476 over the veto of the President.  
E. W. BONNEY, Commander.

WAYNESVILLE, N. C., May 29, 1930.

Hon. F. M. SIMMONS,  
Senate Office Building, Washington, D. C.:  
As a Spanish War veteran I have learned with sorrow of veto by President of Senate bill 476. Urge you to assist in passing it over the veto. Many of the Spanish War veterans are in poverty and totally disabled to earn support for themselves and dependents.

JULIUS B. HOYLE.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

C. A. SEAMORE.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

BEN B. HALL.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

JOHN H. DAVIS.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

H. C. SYDNOR.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

CHASE MOORE.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

R. L. RAMSEY.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

H. E. SINK.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

J. A. HOBBS.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

H. T. MELVIN.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

C. W. WIGGINS.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

R. H. NEWMAN.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

FRED JENNINGS.

GREENVILLE, N. C., May 29, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
DEAR SIR: Please give support to our bill 476 which President has vetoed; thanking you.

THOMAS NOBLE, Commander,  
PAYTON ATKINSON, Adjutant,  
WM. J. SIZE, Chaplain,

James Thomas Smith Camp 17, Greenville N. C., U. S. W. V.

GREENSBORO, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
United States Senate, Washington, D. C.:  
Still urge your support pension bill 476 vetoed.

W. E. GARRETT.

WAYNESVILLE, N. C., May 29, 1930.

Hon. F. M. SIMMONS,  
Senate Office Building, Washington, D. C.:  
Forty-four members of U. A. Love Camp, United Spanish War Veterans, of this place, urge your support in passing Senate bill 476 over the President's veto. Many of these veterans are in abject poverty and totally disabled to earn support by manual labor.

WM. J. HANNAH,

Commander U. A. Love Camp of United Spanish War Veterans.

ROCKY MOUNT, N. C., May 28, 1930.

Hon. F. M. SIMMONS,  
Senate, Washington, D. C.:  
Please vote for passage bill S. 476, which was vetoed by President to-day.

JAS W. ROBERTSON,

Commander John W. Cotton Camp, No. 9, U. S. W. V.

NORTH WILKESBORO, N. C., May 29, 1930.

F. M. SIMMONS,  
United States Senator:

Please override President's veto to Spanish War veterans' bill.

C. P. CRYSEL,

Commander Camp Wilkesboro, No. 13, Wilkesboro, N. C.

CHARLOTTE, N. C., May 28, 1930.

F. M. SIMMONS,

United States Senate, Washington, D. C.:

Have just learned of veto of Senate bill 476. This is bitter disappointment to the several hundred Spanish War veterans of Mecklenburg, their families and friends. As commander of local camp, urge your earnest efforts toward early passage of this fair, just, and equitable bill.

CHAS. G. MONTGOMERY.

WAYNESVILLE, N. C., May 29, 1930.

Senator F. M. SIMMONS,

Senate Chamber:

Urge Congress pass Spanish War pension bill over President's veto.

J. MACK WHITE.

CHARLOTTE, N. C., May 29, 1930.

Hon. F. M. SIMMONS,

Senate, Washington, D. C.:

Each and every member of the Auxiliary of the United Spanish War Veterans, in the Department of North Carolina, beseech you to use your good office to pass our pension bill, S. 476, as amended, over the President's veto.

MAUDE C. BOOTH,

Chairman Legislative Committee.

CHARLOTTE, N. C., May 29, 1930.

Hon. F. M. SIMMONS,

Senate:

The Spanish War Veterans of the Department of North Carolina are depending on you to use your influence to pass our pension bill, S. 476, as amended at this session of Congress, over the veto of the President.

UNITED SPANISH WAR VETERANS,  
DEPARTMENT OF NORTH CAROLINA,  
JOHN L. BOOTH, Adjutant.

WILMINGTON, N. C., May 29, 1930.

Senator F. M. SIMMONS,

Washington, D. C.:

Will appreciate your continued support of Spanish War veterans' bill, S. 476, vetoed by President.

D. D. Barber, W. M. Cummings, W. B. Ennett, J. W. Harper, J. S. Lane, E. L. Lee, J. K. Pinner, C. E. Smith, R. F. Walker, P. O. Matthews, J. W. Hunter, C. F. Green, J. S. Williams, E. C. Russ, J. E. Bunting, Emanuel Pershake, W. M. Atkinson, W. A. Furlong, F. D. Deane, J. H. Brittain, G. F. Duke, A. F. Gibson, A. A. Hergenrother, Z. T. Lumley, T. M. Morse, J. W. Robinson, W. R. Windley, J. J. Adkins, D. B. Branch, W. E. Poole, J. M. Sutton, C. W. Mulford, J. W. Thurman, J. E. Boylan, J. O. Reilly, J. E. Cowell, J. B. King, C. N. Brewer, W. S. Bernard, George D. Orange, G. T. Hoggard, C. T. Johnson, Otto Lehman, Charles Kunold, M. C. Rivenbark, W. E. Watson, J. S. Davis, J. Rudolph, Edw. Lee, H. W. Turrentine, J. W. Capps, S. P. Livingston, H. B. Peschau, Asa Burris, Alfred Anderson, W. H. Styron.

GREENSBORO, N. C., May 29, 1930.

Hon. F. M. SIMMONS,

United States Senate, Washington, D. C.:

We still urge your support for passage of pension bill, S. 476, over President's veto.

D. J. GILMER,

Colonel, United States Army, Retired.

CHARLOTTE, N. C., May 29, 1930.

Hon. F. M. SIMMONS,

United States Senate, Washington, D. C.:

The Spanish War veterans of North Carolina are thankful for your support of S. 476 and request your support in passing it over President's veto.

T. V. GRISWOLD,

Department Quartermaster.

GREENSBORO, N. C., May 29, 1930.

Hon. F. M. SIMMONS,

United States Senate, Washington, D. C.:

We still urge your support on passage of pension bill, S. 476, over President's veto.

COMMANDER PERCY GRAY CAMP, No. 6,  
UNITED SPANISH WAR VETERANS,  
H. C. SNYDER, Commander.



WASHINGTON, D. C., May 29, 1930.

Senator FURNIFOLD M. SIMMONS,

*United States Senate, Washington, D. C.:*

More than 200,000 Spanish War veterans are greatly surprised and disappointed by veto of S. 476. This measure just and fair in its terms was unanimously passed by House and Senate. We appeal to you to vote for and urge the passage of S. 476 over the veto.

E. S. MATTHIAS,

*Chairman Legislative Committee United Spanish War Veterans.*

Mr. McKELLAR presented sundry telegrams relative to the veto message of the President on Senate bill 476, the Spanish War pension bill, which were ordered to lie on the table and to be printed in the RECORD, as follows:

MORRISTOWN, TENN., May 28, 1930.

Senator K. D. McKELLAR,

*Washington, D. C.:*

Please vote to pass our bill, S. 476, over the President's veto.

D. D. TIMMONS,

*Commander Bob Taylor Camp.*

JOHNSON CITY, TENN., May 29, 1930.

Hon. KENNETH McKELLAR,

*United States Senate, Washington, D. C.:*

Respectfully request vigorous action on your part in passage of S. 476, Spanish War pension bill, over presidential veto.

M. P. MALLOY,

*Commander Dixie Post, No. 64, Veterans Foreign Wars.*

TAMPA, FLA., May 29, 1930.

Senator KENNETH McKELLAR,

*Washington, D. C.:*

General Joe Wheeler Camp, No. 2, United Spanish War Veterans, and auxiliary request 100 per cent to exercise your best efforts in passing bill No. 476 over President Hoover's veto.

JOHN E. PHILLIPS, *Commander.*

LAWRENCEBURG, TENN., May 29, 1930.

Senator KENNETH D. McKELLAR,

*Senate Building:*

McNely Post urgently and unanimously request that you use all your influence to procure immediately the passage of S. 476 over the President's veto.

E. E. McNELY, *Commander,*M. M. MOORE, *Adjutant of McNely Post.*

ROCKWOOD, TENN., May 29, 1930.

Senator K. D. McKELLAR:

A. B. Peters Camp, United Spanish War Veterans, 50 membership, pleads for passage bill 476 regardless action of President.

C. F. MILLICAN, *Commander.*CARL MEE, *Adjutant.*

NASHVILLE, TENN., May 28, 1930.

KENNETH McKELLAR,

*Washington, D. C.:*

We appeal to you and Tennessee delegation to stand by Spanish-American War veterans' pension bill and pass it over President's veto. Have waited over 30 years for the recognition of some measure of justice for these veterans, who are all now over an average of 55 years of age.

M. M. HARVILL,

*Commander of Colonel William C. Smith Post, No. 20.*

HARVEY H. HANNAH.

WM. O. VERTREES.

MEMPHIS, TENN., May 29, 1930.

Hon. Senator K. D. McKELLAR,

*Senate Office Building, Washington, D. C.:*

Am in receipt of telegram stating President has vetoed Senate bill 476. This bill means everything to Spanish War veterans at this time, and we urge you to support the passage over President's veto.

SAM M. JACKSON,

*Commander Department of Tennessee,  
United Spanish War Veterans.*

HARRIMAN, TENN., May 29, 1930.

K. D. McKELLAR,

*Senator, Washington, D. C.:*

Please stand by Spanish-American War pension bill S. 476. We are depending on you.

SYDNEY B. STRUNK.

LEWIS FLOYD.

FRED JEWETT.

JOHN A. TROUT.

C. C. KELLEY.

J. N. KELLEY.

LAWRENCEBURG, TENN., May 29, 1930.

Hon. K. D. McKELLAR,

*United States Senate, Washington, D. C.:*

L. O. Crane Post, American Legion, 250 members, urge immediate passage of S. 476 over President's veto.

L. O. CRANE POST, No. 63, AMERICAN LEGION.

ROCKWOOD, TENN., May 29, 1930.

Senator K. D. McKELLAR:

Believe it equitable, and public sentiment favors passage of bill 476 over veto.

CITY COMMISSION.

JOHN A. EAST, *Mayor.*

T. H. PHILLIPS.

Commander W. L. HOWARD.

Commander F. E. CROUCH, *Judge.*

JOHNSON CITY, TENN., May 29, 1930.

Hon. KENNETH McKELLAR,

*United States Senate, Washington, D. C.:*

Respectfully request vigorous action on your part in passage of S. 476, Spanish War pension bill, over presidential veto.

S. C. BEASLEY,

*Commander McCorkle Camp, No. 2, Department of Tennessee.*

NEWPORT, TENN., May 29, 1930.

Senator KENNETH McKELLAR:

Urge you pass S. 476 over President's veto.

CAMP BEN W. HOOPER, No. 21, SPANISH WAR VETERANS,

DEPARTMENT OF TENNESSEE, NEWPORT, TENN.

O. L. BURNETT, *Adjutant.*

## REPORTS OF COMMITTEES

Mr. THOMAS of Idaho, from the Committee on Irrigation and Reclamation, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 1186. An act to amend section 5 of the act of June 27, 1906, conferring authority upon the Secretary of the Interior to fix the size of farm units on desert-land entries when included within national reclamation projects (Rept. No. 749); and

H. R. 5662. An act providing for depositing certain moneys into the reclamation fund (Rept. No. 750).

Mr. HOWELL, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

H. R. 9123. An act for the relief of Francis Linker (Rept. No. 751); and

S. 4377. A bill to provide for the settlement of claims against the United States on account of property damage, personal injury, or death (Rept. No. 766).

Mr. HOWELL also, from the Committee on Commerce, to which was referred the bill (S. 3399) to amend section 2 (e) of the air commerce act of 1926, reported it with amendments and submitted a report (No. 763) thereon.

Mr. HOWELL also, from the Committee on the Library, to which was referred the joint resolution (S. J. Res. 171) to amend section 5 of the joint resolution relating to the National Memorial Commission, approved March 4, 1929, reported it with amendments.

Mr. TRAMMELL, from the Committee on Claims, to which were referred the following bills, reported them each without amendment and submitted reports thereon:

S. 1251. A bill for the relief of the Ayer & Lord Tie Co. (Inc.) (Rept. No. 752); and

H. R. 323. An act for the relief of Clara Thurnes (Rept. No. 753).

Mr. CAPPER, from the Committee on the District of Columbia, to which were referred the following bills, reported them severally without amendment and submitted reports thereon:

H. R. 3144. An act to amend section 601 of subchapter 3 of the Code of Laws for the District of Columbia (Rept. No. 754); and

S. 4358. A bill to authorize transfer of funds from the general revenues of the District of Columbia to the revenues of the water department of said District, and to provide for transfer of jurisdiction over certain property to the Director of Public Buildings and Public Parks (Rept. No. 765).

Mr. CAPPER also, from the Committee on the District of Columbia, to which was referred the bill (S. 4325) to amend subchapter 5 of chapter 18 of the Code of Law for the District of Columbia by adding thereto a new section to be designated section 648a reported it with an amendment and submitted a report (No. 760) thereon.

Mr. GLASS, from the Committee on the District of Columbia, to which was referred the bill (S. 3558) to amend section 8 of the act making appropriations to provide for the expenses of

the government of the District of Columbia for the fiscal year ending June 30, 1914, and for other purposes, approved March 4, 1913, reported it with an amendment and submitted a report (No. 758) thereon.

Mr. ROBSION of Kentucky, from the Committee on the District of Columbia, to which was referred the bill (S. 4551) to amend an act entitled "An act to establish a code of law for the District of Columbia," approved March 3, 1901, and the acts amendatory thereof and supplemental thereto, reported it without amendment and submitted a report (No. 759) thereon.

Mr. WHEELER, from the Committee on Indian Affairs, to which was referred the joint resolution (S. J. Res. 167) to clarify and amend an act entitled "An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes," approved March 2, 1927, reported it without amendment and submitted a report (No. 755) thereon.

Mr. McMASTER, from the Committee on Indian Affairs, to which was referred the bill (H. R. 10117) authorizing the payment of grazing fees to E. P. McManigal, reported it without amendment and submitted a report (No. 761) thereon.

Mr. COPELAND, from the Committee on Commerce, to which was referred the bill (S. 1812) to authorize the collection of annual statistics relating to certain public institutions, reported it with amendments and submitted a report (No. 756) thereon.

Mr. DALE, from the Committee on Commerce, to which was referred the bill (H. R. 12131) granting the consent of Congress to the Commonwealth of Pennsylvania to construct, maintain, and operate a free highway bridge across the Allegheny River at or near Kittanning, Armstrong County, Pa., reported it without amendment and submitted a report (No. 764) thereon.

#### JOHN H. ANDRUS

Mr. REED. Mr. President, from the Committee on Military Affairs I report back favorably without amendment the bill (S. 4466) to make a correction in an act of Congress approved February 28, 1929, and I ask unanimous consent for its immediate consideration. The bill merely corrects the name of one of the soldiers who exposed himself to yellow fever in the test in Cuba at the conclusion of the Spanish War. The original bill passed a year ago gave the name incorrectly. The bill which I now report corrects it to the man's true name.

There being no objection, the bill was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

*Be it enacted, etc.,* That the act entitled "An act to recognize the high public service rendered by Major Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever," approved February 28, 1929, is hereby amended by striking out the name "James A. Andrus" wherever it appears therein and inserting in lieu thereof "John H. Andrus."

#### SUITS FOR PATENT INFRINGEMENT

Mr. DILL. From the Committee on Patents I report back favorably without amendment the bill (S. 4442) relating to suits for infringement of patents where the patentee is violating the antitrust laws, and I submit a report (No. 757) thereon.

The VICE PRESIDENT. The bill will be placed on the calendar.

Mr. DILL. I ask unanimous consent to have printed in the RECORD at this point an article by Martin Codel on patent royalties. The bill I have just reported affects particularly combinations of patents.

The VICE PRESIDENT. Without objection, the article will be printed in the RECORD.

The article is as follows:

[From the Washington Sunday Star of May 25, 1930]

PATENT ROYALTIES FORCE PAID TAXES—ISSUE IS ONE OF MOST FORMIDABLE IN UNITED STATES COURT TRIAL

By Martin Codel

One of the most aggravating features of the radio patent situation is the fact that many independent manufacturers must pay patent royalties not only to the Radio Corporation of America, whose hold on something more than 4,000 patents is now being tested under the antitrust laws, but to various other patent-holding groups.

While the Radio Corporation of America, largely by virtue of its patent cross-licensing arrangements with General Electric, Westinghouse, and American Telephone & Telegraph, is the largest patent holder and exacts the largest royalty—7½ per cent on the production of its licensees—there are at least six other licensors of major importance. Each collects a royalty, usually a percentage on production, from those it licenses to use its patents.

#### MANY IN RADIO CORPORATION OF AMERICA GROUP

Of 90 manufacturers of radio and allied equipment all but 17 are licensees of the Radio Corporation of America group, according to Radio Retailing. Twenty-two are licensed to use the patents of the Hazeltine group, and 20 hold licenses for the Lektophone patents. Jones Technodyne has 8 licenses, Radio Frequency Laboratories 5, Dubilier 4, and Magnavox 3.

A company like Grigsby-Grunow, for example, pays royalties to Radio Corporation of America, Lektophone, Radio Frequency Laboratories, and Dubilier, and must now pay also to Magnavox, which recently won a patent suit over it. Thus B. J. Grigsby was constrained to declare before the Senate Committee on Interstate Commerce that the radio patent situation was becoming intolerable, representing an item of initial overhead that made it extremely difficult for any independent maker of radio sets to operate at a profit.

A general pooling of patents along the lines of the patent pools of the automotive and aeronautic industries has frequently been recommended. Indeed, this has been one of the major efforts of the Radio Manufacturers' Association. While some of the smaller patent holders have indicated their willingness, the Radio Corporation of America and its affiliated companies have never agreed, because of their conviction that they would sacrifice their hold on the dominant patents in the industry and gain relatively little in return.

#### WOULD END POOLS

On the other hand, it is argued in favor of a patent pool that a fair license for the blanket use of all patents could thus be charged, each contributor to the pool drawing a fair share for his patents. This would avoid the mass of litigation over contested patent claims that has marked the radio industry for a decade. Naturally the companies with little or no laboratory and research facilities favor the patent-pool scheme. Many other supporters point out that it would mean a saving in manufacturing costs that could be passed on to the consumer.

It is a highly complicated situation, and one that calls for the highest form of statesmanship and diplomacy, yet no leader has arisen in the radio industry to drag it out of its patent morass. Victory for the Government in its fight to break up the patent pool of the Radio Corporation of America may force a cooperative pooling of patents in the radio industry. But until such an eventuality it is a foregone certainty that Radio Corporation of America, Hazeltine, Lektophone, Dubilier, and the other patent groups alike will resist any effort to make them throw their inventive products into a pool from which any and all may derive their technique.

#### REPORTS OF NOMINATIONS

As in executive session,

Mr. JOHNSON, from the Committee on Commerce, reported the nominations of sundry officers in the Coast Guard, which were placed on the Executive Calendar.

Mr. PHIPPS, from the Committee on Post Offices and Post Roads, reported sundry post-office nominations, which were placed on the Executive Calendar.

#### AMENDMENT OF FLOOD CONTROL ACT OF 1928

Mr. JOHNSON. From the Committee on Commerce I report back favorably with amendments the bill (H. R. 8479) to amend section 7 of Public Act No. 391, Seventieth Congress, approved May 15, 1928, and I submit a report (No. 748) thereon. I call the attention of the Senator from Arkansas to the bill.

Mr. ROBINSON of Arkansas. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Senator from Arkansas asks unanimous consent for the immediate consideration of the bill. Is there objection?

Mr. REED. Mr. President, I ask the Senator from Arkansas what does the bill propose to do?

Mr. ROBINSON of Arkansas. Mr. President, the bill proposes to broaden the use of the unallotted and unexpended funds provided in section 7 of the flood control act of 1928, so as to effectuate the purpose of the framers of the provision and to permit the reimbursement in certain cases of persons and levee districts where construction and repair proceeded immediately following the flood of 1927 on tributaries of the Mississippi. The bill also will permit the use of the unexpended portion of the funds referred to in connection with bank protection on the tributaries of the Mississippi River. The bill was first introduced in the Senate and a similar or identical measure was presented to the House. The Committee on Flood Control had hearings, after which the bill was reported and passed with amendments in harmony with the general purpose of the legislation.

There being no objection, the Senate proceeded to consider the bill.

The amendments were, on page 2, line 1, after the word "expenditures," to insert "heretofore incurred or made"; in line 4, after the word "by," to insert "the flood of 1927 or subse-



quent"; and in line 8, after the word "tributaries," to insert "or outlets," so as to make the bill read:

*Be it enacted, etc., That section 7 of Public Act No. 391, Seventieth Congress, approved May 15, 1928, be amended by adding thereto the following proviso: "Provided, That the unexpended and unallotted balance of said sum, or so much thereof as may be necessary, may be allotted by the Secretary of War on the recommendation of the Chief of Engineers in the reimbursement of levee districts or others for expenditures heretofore incurred or made for the construction, repair, or maintenance of any flood-control work on any tributaries or outlets of the Mississippi River that may be threatened, impaired, or destroyed by the flood of 1927 or subsequent flood or that have been impaired, damaged, or destroyed by flood; and also in the construction, repair, or maintenance, and in the reimbursement of levee districts or others for the construction, repair, or maintenance of any flood-control work on any of the tributaries or outlets of the Mississippi River that have been impaired, damaged, or destroyed by caving banks or that may be threatened or impaired by caving banks of such tributaries, whether or not such caving has taken place during a flood stage: Provided further, That if the Chief of Engineers finds that it has been or will be necessary or advisable to change the location of any such flood-control work in order to provide the protection contemplated by this section, such change may be approved and/or authorized."*

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

BUST OF THE LATE LIEUT. JAMES M. GILLIS, UNITED STATES NAVY

Mr. FESS. From the Committee on the Library I report favorably without amendment the bill (H. R. 4849) to provide for the purchase of a bronze bust of the late Lieut. James Melville Gilliss, United States Navy, to be presented to the Chilean National Observatory. I call the attention of the Senator from Connecticut to the bill.

Mr. BINGHAM. I ask unanimous consent for the present consideration of the bill.

The VICE PRESIDENT. The Senator from Connecticut asks unanimous consent for the immediate consideration of the bill. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

Mr. HARRISON. Mr. President, I can speak on this bill as well as on something else, I take it.

The VICE PRESIDENT. The Senator from Mississippi is recognized.

Mr. HARRISON. Mr. President, I desire to say that I am not opposed to the passage of the bill for which the Senator from Connecticut has asked consideration, but I desire to occupy the floor for a few moments on another subject.

The VICE PRESIDENT. The Chair has recognized the Senator from Mississippi.

#### REVISION OF THE TARIFF

Mr. HARRISON. Mr. President, we read in the newspapers on Sunday morning of the "four horsemen of the Rapidan." In poetry and prose will be recorded their heroic deeds as they returned breathlessly from the fishing camp of President Hoover to Washington to arouse the Republican leaders, that they might change what they had already agreed to do with reference to the flexible provisions of the tariff bill. We had thought that their efforts would be unavailing; that success would not attend them; but this morning the action of the majority conferees of the two Houses has verified the assertion of a good many gentlemen that the Senate conferees and the House conferees would recede on some of the reforms written in the flexible provisions of the bill, and that, in the end, the President would win. It looks now as though the President might win. There is but one barrier ahead; there is but one obstruction in his path; and that is the Senate of the United States. That makes our duty graver and our responsibility more pronounced.

The conference report, as I understand, will not be submitted until Monday next, but, in order that the country may know what has been done, that it may be advised of the crime that is about to be committed against the American people, and how the undeniable constitutional rights of the plain American citizens are to be usurped and the traditions of the Government demolished, I want briefly to address the Senate.

Of course, the President was hungry for more authority; he craved it under the flexible-tariff provision. It is known to everyone who is familiar with the tariff fight that has been waging for more than a year that certain interests in this country have laid off, and that their efforts have been directed to retaining the flexible provisions of the present law, on the theory and in the belief that, if those provisions were incor-

porated in the proposed new tariff law, the President, through the power granted by the flexible provision, would increase tariff rates still higher upon the American people. It is that, among many other reasons, that has caused the forming of lines in this body which have presented militant opposition to the flexible provisions of the present law and have succeeded in the adoption of the Senate provision with reference to flexibility.

I have stated many times, and I sincerely believe, Mr. President, that the flexible provision as adopted by the Senate was one of the most constructive pieces of legislation ever proposed to be incorporated in a tariff bill. It retained the power in the representatives of the people to lay taxes upon the people, using the expert knowledge and the agencies of the Tariff Commission in order to ascertain the difference in the cost of production in this country as compared with the foreign countries, and provided that the findings of the commission should be submitted to Congress, thus freeing the House and the Senate of the logrolling practices and tactics which have been employed in the framing of the pending bill as well as in the framing of other tariff measures. Under the proposal adopted by the Senate each recommendation of the commission would be decided upon its own merits and free from the bartering and trading which we have witnessed here, to the shame of the Senate of the United States.

We had fond hope that some such provision might be written into the pending tariff legislation. Senators have stated upon the floor of the Senate that they would oppose any tariff measure that surrendered that principle. We will see; we will know in not many days whether that promise was made to the winds or whether it was a promise made to be kept, because I say to you, Mr. President, that, with two minor changes, the conference report as agreed to in conference this morning demolishes the work of this body in the framing of a flexible-tariff provision and will give to the country practically the same law on the subject of the flexible tariff as is on the statute books to-day. The House conferees have accepted the excuse, and have won a victory, for under the conference report only minor changes have been wrought in the provision regarding the flexible tariff which was adopted by the House.

The House bill, as does the present law, lodged in the President of the United States the power to raise up to 50 per cent or to lower by 50 per cent the rates prescribed in the tariff law, the President using the Tariff Commission merely to ascertain some facts, but, when those facts were ascertained, being empowered to disregard the findings or to accept them. Under the present law, if the Tariff Commission should report that the rates of the present law should be reduced 50 per cent, the President might reduce the rates 10 per cent; if some of the commissioners should recommend an increase over the rates of the present law to 40 per cent or 50 per cent and some should recommend a reduction, then he might take either view; he need not follow that recommendation or the finding of the Tariff Commission. In his action, however, he would have to remain within the 50 per cent limitation in increasing or reducing the rates in the existing law.

The only change of moment, the major change, that has been made by the conferees in the flexible provision as found in the House bill and in the present law is that the President may not disregard the recommendations of the commission; so that if the commission should recommend a 40 per cent increase the President could not fix the increase at 5 per cent.

Mr. SHORTRIDGE. Mr. President—

Mr. HARRISON. Mr. President, if the Senator will bear with me, he will find that I will not misstate a single fact.

Mr. SHORTRIDGE. I understand that; but—

Mr. HARRISON. I hope the Senator will bide his time and be patient. I want to be perfectly courteous, but I desire to finish this narrative. The Senator will then find that I am stating the facts, and if I do not state the facts, of course, I want to be corrected.

Mr. SHORTRIDGE. I merely wished to ask the Senator a question; that is all.

Mr. HARRISON. Under the provision which has been agreed to in conference, the President will be given the power either to accept or reject the findings of the Tariff Commission. When they shall ascertain by unanimous report that a rate is too high and recommend that it be reduced 50 per cent from the rate in the law, the President of the United States will not have to accept it. He may pigeonhole it, he may disregard it; the rights of the people may be flouted and high tariff taxes continue to be levied upon the consuming masses.

If the Senate provision had been adopted that would not have been possible; the President would have been compelled to have accepted within 60 days the findings of the Tariff Commission. He would have been confronted with two alternatives: One to



veto the finding of the Tariff Commission, and the other to approve it. Under the provision as now agreed to in conference, he will not have to do either. Under the report agreed to by the conferees, if the Tariff Commission finds that a tariff rate is 50 per cent too high and recommends or specifies a reduction of 50 per cent and sends the report to the President in August of a presidential election year or a senatorial and congressional election year, the President can hold it up. There will be nothing to prevent him, if he should care to adopt such tactics, listening to the powerful and influential men who dominate the particular industry involved and hearken to their protests against his taking favorable action on the recommendation of the Tariff Commission until the Ides of September and October and even until the votes are counted in November. He will be able to hold back action on the recommendations of the Tariff Commission as a plum, not only in order to secure campaign contributions but promises of votes for Republican candidates.

The same statement applies, of course, to a Democratic President. It is all wrong that there should be such an opportunity afforded any President of the United States, and it can not be defended; we should prevent the possibility of such procedure as that.

So, Mr. President, I say the President of the United States has finally gained the power which throughout the tariff controversy he has fought to obtain. One of the few things in the whole bill of which he has come out in open advocacy and as to which he has had the courage to take the people into his confidence he has won. No doubt he is happy to-day. No wonder we read in the papers that he is going to make a week-end trip into Pennsylvania! His heart is light. He is joyous now. More power is given to him. The trip of the four horsemen of the Rapidan was not without success.

I never saw conferees surrender so gleefully and so quickly as they did this morning. They were glad that the excuse had been presented, that this power that the President craved had been given to him. They gladly accepted practically the present law and the House bill. So now, under this report, the President is only restricted in putting into effect by his proclamation, if he sees fit, the rates specified by the Tariff Commission in their findings as equalizing the difference in cost of production here and abroad. He can not modify that recommendation. He must accept it or he must disregard it; and there is no limitation of time put upon him as to when he is forced to act.

Mr. SHORTRIDGE. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from California?

Mr. HARRISON. Yes; I yield to the Senator.

Mr. SHORTRIDGE. Does not the Senator think that the provision now in the suggested report is a great curtailment of the power of the President under the present law?

Mr. HARRISON. It is just about as big as a nit, if the Senator can see a nit.

Mr. SHORTRIDGE. Under the present law he may raise or lower the rates in his own discretion.

Mr. HARRISON. Yes; within 50 per cent.

Mr. SHORTRIDGE. But under the proposed law—

Mr. HARRISON. I state the facts, do I not—within 50 per cent?

Mr. SHORTRIDGE. No.

Mr. HARRISON. The Senator had better read the law again, then.

Mr. SHORTRIDGE. One moment; I have read the law.

Mr. HARRISON. I know it, and I am astonished that the Senator says it is not within 50 per cent.

Mr. SHORTRIDGE. Under the present law the President may raise or lower the rates within the limit stated of 50 per cent.

Mr. HARRISON. That is right.

Mr. SHORTRIDGE. But under the proposed law, if it shall become a law, he must adopt or reject the specified rates submitted by the Tariff Commission. It is a great limitation on his power.

Mr. HARRISON. May I say to the Senator, with all deference, that I have stated that half a dozen times with all the force at my command. The President has to accept or reject the rates recommended, but there is no limitation upon his action; and the Senator himself and his colleagues from the Senate voted down a motion I made this morning to fix a limit of 60 days within which the President had to take action on the recommendation.

Mr. ROBINSON of Arkansas. Mr. President, may I ask a question?

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Arkansas?

Mr. HARRISON. Yes; I yield to the Senator.

Mr. ROBINSON of Arkansas. I inquire if the provision which is to be reported by the conferees relating to the flexible tariff is available now for the use or study of the Senate?

Mr. SMOOT. Mr. President, I will state to the Senate that within a half hour we will have the report ready.

Mr. ROBINSON of Arkansas. It is not available now?

Mr. SMOOT. No; it is not.

Mr. ROBINSON of Arkansas. I ask for information.

Mr. SMOOT. I expect to make the report just as soon as it is completed and have it lie on the table, and on Monday I shall ask for its consideration.

Mr. SIMMONS. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from North Carolina?

Mr. HARRISON. I yield to the Senator from North Carolina.

Mr. SIMMONS. I desire to ask the Senator from Mississippi if the practical effect of the changes made this morning is not to confer upon the Tariff Commission practically the same powers that the Congress has to raise or lower these rates, and to confer upon the President practically the same power of veto that he has over an act of Congress?

Mr. HARRISON. Yes; absolutely.

Mr. SIMMONS. It is, therefore, a mere substitution of the Tariff Commission for the Congress of the United States with respect to increasing or reducing rates.

Mr. HARRISON. Mr. President, worse than this, without a point of order having been made to the conference report as to another provision, this morning the conference sought an excuse to go out and give the President still broader power. One of the main contentions we have made upon the floor of the Senate and in the conference was for the creation of a nonpartisan or a bipartisan Tariff Commission. We stood for that not only in the last campaign but in many campaigns.

We believe that one of the most nefarious practices has been that of Executive interference and the use of Executive influence on commissioners, and also of commissioners toadying to the President in ascertaining the difference in cost of production or in competitive conditions. So we had written into the Senate amendment and into the report that was sent back the other day from this body, and against which no point of order was raised as to this item, a provision that instead of seven members on the Tariff Commission, as proposed by the House, so that the President might name four of his own party and control the commission through party influence and partisanship, there should be a commission of six, not more than three from any one party. Furthermore, so intent were we to keep the commission of a nonpartisan character and exclude politics from its consideration and deliberations, that we said that the President should designate a chairman and vice chairman alternately every year from one or the other of the parties. In other words, if this year he appoints the chairman from the Republican three, the next year he should appoint the chairman from the Democratic three, and they should alternate every year, so that no one commissioner could stand up above his peers of the commission and exercise greater influence. We did not want to perpetuate any one man as chairman of the commission, so that it would create and breed envy and jealousy and misunderstanding and confusion within the Tariff Commission.

You thought it was good. There are men who sit before me now who were on that conference, who agreed with the argument that my colleague and I made with reference to that. But what did you do this morning? After you had fashioned that language and brought it in here, without a hint as to a point of order being made upon the floor of the Senate, the distinguished Senator from Utah [Mr. SMOOT]—no doubt carrying out the views of the gentleman at the other end of Pennsylvania Avenue who wanted this power, who wanted to carry out his will and wish with reference to rates—suggested that that provision might be subject to a point of order, and for us to eliminate it. Then we suggested, in return, "If you are going to do that, let us adopt the Senate provision." "No," said the House conferees representing the majority party; "we can not do it. We must not do it. We will not do it."

It is exceedingly strange, Mr. President, and the country should know it, that the Senator who made this suggestion to strike out this wholesome provision and put the present law in the conference report which Senators will be called upon to vote for or against represents the State that now has on the commission the chairman of the Tariff Commission. No closer, better friends, political or personal, live than these two "Gold Dust twins" from Utah. The chairman of the commission, Mr. Brossard, goes to Philadelphia in the midst of this heated controversy over the tariff question, frees himself from what ought to be a nonpartisan work, and makes a speech to those people in Philadelphia and broadcasts it to the world, in which he says



that these retaliations upon the part of foreign governments do not amount to anything, that they have not been made with any great force, and that they are without justification, in order to raise the rates that have been adopted in the Senate.

I have tried to get a full copy of the report, but I could not get it; but I ask permission to put into the Record at this point as part of my remarks the newspaper account of that speech.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

ACCOUNT IN JOURNAL OF COMMERCE OF MAY 5, 1930, OF SPEECH BY EDGAR B. BROSSARD, CHAIRMAN OF THE TARIFF COMMISSION, AT THE ANNUAL MEETING OF AMERICAN ACADEMY OF POLITICAL AND SOCIAL SCIENCE IN PHILADELPHIA

Dr. Edgar B. Brossard, chairman of the Tariff Commission, praised the bill unqualifiedly and denied that either the act of 1922 or the proposed one has engendered retaliatory barriers abroad. Asserting that the United States admits free of duty a greater volume of products than any other nation with the possible exception of Great Britain, the speaker said that no European country wishes to lose the American market, as no other country can buy more of a better grade of products than this Nation.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Kentucky?

Mr. HARRISON. I yield to the Senator.

Mr. BARKLEY. This is the same member and the same chairman of the Tariff Commission who on last Saturday issued a statement in the name of the Tariff Commission, purely for propaganda purposes, to the effect that this tariff bill was a great benefit to the American farmer?

Mr. HARRISON. Yes; I was just coming to that.

Mr. BARKLEY. Does the Senator know whether that statement represented the views of the members of the Tariff Commission? Does he know whether any other members of the commission were consulted by the chairman in the preparation or issuance of that statement?

Mr. SMOOT. The Senator knows that that was done.

Mr. HARRISON. May I say to the Senator that I was just coming to that in the course of my remarks?

The chairman of the commission, Mr. Brossard, who received his appointment more on the indorsement of the chairman of the Senate Finance Committee than anyone else, issued from the Tariff Commission on May 24, just when we were about to vote upon this conference report, a political pamphlet intended to allay the opposition of the country to the report and at the same time to make the agricultural interests of the country feel that they were getting something out of it. This report is issued by the publicity department of the Tariff Commission; and, by the way, what business have the Tariff Commission with a publicity branch? They are there to ascertain facts, not to sell their facts to the country. They are there to get information, either for the President or the Congress of the United States, not to go out and propagandize the country with reference to tariff rates. They are there to perform a duty that we have laid down, not to issue pamphlets of this kind in order to help my friend the Senator from Utah and those who are trying to perpetrate this crime upon the people in the great fight that is now being waged.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER (Mr. Fess in the chair). Does the Senator from Mississippi yield to the Senator from Utah?

Mr. HARRISON. I yield to the Senator.

Mr. SMOOT. The Senator does not deny the fact that that report was signed by the vice chairman of the Tariff Commission, does he?

Mr. HARRISON. The report that I have is the publicity report, a copy that was given to the press. I have not seen the report itself.

Mr. SMOOT. The Senator knows it, whether he has seen it or not, because the vice chairman told him so.

Mr. HARRISON. If the vice chairman told the Senator so, I am not going to defend him because he may be a Democrat. I say it is wrong when either a Republican or a Democrat gets out such a report as this.

Mr. SMOOT. There is only one word left out of that report, and left out not intentionally—and I think the Senator has been told of that, too—which would clear up the whole thing. The Democratic—

Mr. HARRISON. Did the Senator finish asking me the question?

Mr. SMOOT. Yes. I know the Senator does not want to know the facts in the case.

Mr. HARRISON. I know the facts are that the publicity department of the Tariff Commission gave this pamphlet to the press of the country. It says:

UNITED STATES TARIFF COMMISSION,  
Washington, D. C.

Confidential. For release May 24, 1930. Press Notice No. 1-15.

Then it starts out by saying in this political pamphlet, the very first sentence:

Agriculture will benefit greatly by the new tariff bill.

That is a fine conclusion when, if they knew anything, they ought to have known that agriculture is going to be hamstrung and burdened by the many excessive taxes which are laid upon the backs of the farmers through the inordinate increases carried in this bill.

I do not care whether Mr. Dennis did or did not sign it; it needs no defense at my hands. I say it is wrong; I say it should not have been issued. But the chairman of the commission is the one who generally O. K's this kind of proposition. Does the Senator approve that statement?

Mr. SMOOT. Mr. President, I have already stated that both the chairman and the vice chairman have stated that there is one word left out of the very words the Senator has just spoken, not intentionally, but it was overlooked, and with that one word in the whole thing would be changed. I shall send to my office and get the language as it should be and let the Senate know the facts.

Mr. HARRISON. That is the trouble about the Senator and some of those who work with him in this fight—they leave out the one word which means so much.

Mr. SMOOT. It was not done intentionally.

Mr. BARKLEY. What was the word?

Mr. SMOOT. I will tell the Senator just as soon as I get the papers.

Mr. BARKLEY. Does the Senator know what it is now?

Mr. SMOOT. I want to be absolutely sure. I know the substance of it. I might not use the exact word. But it was in there, and I will call the Senator's attention to it and he need not be worried about it.

Mr. BARKLEY. I am not worried.

Mr. HARRISON. The damage has been done if the Tariff Commission has any influence in this country, and the giving out of a statement now that one word should have been changed will not undo the damage it may have wrought.

What did you do with reference to it? After you delegated to the President all this power he craved, and for which the four horsemen rode quickly to Washington in the Paul Revere style in order to have it done—

Mr. GLENN. Mr. President, will the Senator yield?

Mr. HARRISON. In one moment, when I shall have finished this peroration.

Mr. GLENN. Has the Senator finished the peroration?

Mr. HARRISON. No; the Senator knocked me completely off with his benign countenance.

Mr. GLENN. Will the Senator yield?

Mr. HARRISON. Let me finish this matter. After the work had been accomplished and the President given this renewed power, then they changed the conference report as it was brought in the other day, and took away from the President the restricted right, I might call it, of designating one member of the commission this year as chairman, and another next year as chairman, one of one political party this year as chairman and one of a different political party next year as chairman. So you write it in the law now that the President, with this broadened power, can designate the chairman, he can appoint him for seven years, if he wants to, if he is serving that long. They do not have to change him at all. They can just build up an autocracy in the Tariff Commission.

Now I yield to the Senator.

Mr. GLENN. I judge from the remarks of the Senator from Mississippi that he fears that the new flexible provision, which will come in sooner or later, will grant more power to the President than the provision as written, which the conference sent back. Is that right?

Mr. HARRISON. Oh, yes; it is much greater power than was incorporated in the Senate amendment or in the report that was made.

Mr. GLENN. Can the Senator tell me how it comes that the conference committee is going to be in position to grant this additional power to the President, about which the Senator complains so enthusiastically?

Mr. HARRISON. I regret that I have not made myself plain to the Senator. I have to everyone else, I think.

Mr. GLENN. Can the Senator answer the question?

Mr. HARRISON. I have been talking here for quite a while, trying to distinguish between the two reports, and to show that the broadened power given to the President in this new draft



of the conference report is greater than that which was adopted in the first report.

Mr. GLENN. Yes; but has not that situation all come about by reason of a point of order raised by the Senator's Democratic colleague from Kentucky? Why did he do that if it is so wrong, and means such great damage and injury to the whole country?

Mr. HARRISON. The Senator knows I am not the guardian of any Senator here. The Senator from Kentucky made the point of order in his own right. I do not suppose the Senator from Kentucky ever had an idea that the Senate conferees would go down and surrender everything because of the point of order he made that the conferees did not have the authority to give to the Tariff Commission the power to promulgate rates in the event the President did not take the action within the 60 days.

Mr. GLENN. The Senator does believe that it was a great mistake to make the point of order, and that the country would have been much better off if the Democratic side had not raised the point of order. Is that right?

Mr. HARRISON. I think the provision would have been much better if the Vice President had not sustained the point of order, as in the original report. I think that was a much better provision than this one, or the one in the present law, if that answers the Senator.

Mr. President, this is exactly what the President of the United States wanted. I hold in my hand a draft, or a copy of a draft, that was given to the chairman of the House conferees [Mr. HAWLEY], by some one who is close to the President, and which Mr. HAWLEY stated would meet no objection from the President, but would be very acceptable to the President. He gave to the members of the conference every assurance, or made them believe, that the President had collaborated in the working out of these suggestions of compromise between the House and the Senate.

What did the President suggest in this regard? Ah, the conferees did not go as far as the President wanted them to go. They went in the direction of what he wanted, but did not go to the extent the President of the United States desired, because if we had adopted in the conference, and they had become the law, the provisions which had been suggested by the President through some one, you could not have reduced the taxes in many instances in this country of organizations now dominated and controlled by combinations which can fix the prices the American consumer pays, and the products of which find no competition from abroad. You would think, Mr. President, or, if the Presiding Officer would not think so, the American people would think, that reductions in rates should come in those cases where combinations can fix the prices to the American consumer unrestricted or uninfluenced by foreign importations. Yet in that class of cases, under the President's proposal, the Tariff Commission could not even investigate and could not proclaim the rates, nor could the President. Why? Because he wrote this significant language in this draft. He said:

Shall make an investigation for the purpose of ascertaining the difference in cost of production in the principal market or markets of the United States between domestic articles and like or similar—

Get this; here is the "nigger in the woodpile"—

between domestic articles and like or similar competitive imported articles.

He did not say "foreign articles," and I congratulate my colleagues of the majority of the conference that they would not stand for that suggestion. They thought it was probably just as preposterous as my colleague the Senator from North Carolina and I myself thought, because when we pointed it out, the majority conferees agreed to change it and to put in the words "foreign articles." But the President, craving for more power and wanting to employ the flexible provision in certain cases to jack up rates, wanted to put in the words "between domestic articles and like or similar competitive imported articles."

In the first place, under the President's provision, in order for the commission to investigate and to make its ascertainment known, an article had to be called an imported article, and there are some cases where none of the articles are imported. In the next place, it had to be a competitive imported article, and unless it was a competitive imported article, the Tariff Commission could not make the ascertainment and findings. So it would prevent any action taken by the Tariff Commission or the President under the flexible provision to reduce rates where they are now so high as to keep out any foreign articles at all, and where the reduction is most desired and most needed by the American people.

Another proposition: In this draft of the President he suggested no limitation of time in which he was to act; he just left it free that when the Tariff Commission made a report to him he might pigeon-hole it, he might approve it, he might disapprove it, he might hold it in abeyance over a presidential campaign.

Mr. SMOOT (in his seat). It is the present law.

Mr. HARRISON. Oh, the Senator says it is the present law. That does not answer it. That makes it just as odious, because that has been criticized and condemned from one end of this country to the other. Yet the only reason the Senator from Utah now suggests why such a provision ought to be put in the law is that it is the present law.

Mr. SMOOT rose.

The PRESIDING OFFICER. Does the Senator from Mississippi yield to the Senator from Utah?

Mr. HARRISON. That is the thing which the Senate of the United States condemned. That is the thing we repudiated. That is the thing we hoped would not come back to the Senate and be foisted again upon the American people.

Mr. SMOOT. Mr. President, the Senator is mistaken when he says the Senator from Utah wanted that provision in the law. The Senator from Utah never approved of it in the consideration of this bill, but insisted that it be changed, and it was changed.

Mr. HARRISON. I think the Senator misquoted me. The Senator in his seat whispered, but so that I could hear it, that it was in the present law. It is in the present law, and now there are some reports of the commission, which have been in existence since 1922, that is true, but we were trying to cure that practice, and this morning again my colleague on the conference, the Senator from North Carolina [Mr. SIMMONS], and I fought to put in a 60-day limitation, so that the President would have to approve or disapprove within 60 days, and not use a report as a political trump either to extract campaign contributions for his party or to get certain interests to support those who stood by him in political campaigns.

Let me go a little farther. The majority conferees have finally given him that power. They would not listen to our pleadings this morning, although the other day they were standing for a 60-day limitation, and some said, "No; the President should not have this power." But now they have changed front. What is it that caused their strong arm to become so weak and caused them to turn a complete somersault on this proposition?

The President wanted other things, too. He suggested in this draft that after the differences in the cost of production here and abroad had been ascertained certain words might be substituted for the findings of the commission with reference to the cost of the foreign article. He said, "or other obvious factors." That language never has been used in anything I have seen touching the flexible clause. The words "apparent factors" were used, but the President wanted to substitute, for the cost of production found abroad by the commission, a new basis, and that basis was "other obvious factors." If there were increasing importations, that might be an obvious factor, in the opinion of the President. Some political influence at stake might be an obvious factor in the mind of the President. But you struck that out and in your draft you did not give them the power to substitute for cost of production, but said that in arriving at the difference in the cost of production they could take into consideration "other obvious factors," a great difference between the proposal of the President and that which was adopted by the House conferees.

Mr. President, that is all I desire to say at this time. I hope early next week to take up the action of the conference committee, to show rate by rate the changes which have been made in the conference, to show the hundreds and hundreds of items and important provisions on which the Senate conferees receded which are so momentous and important to the welfare of the American people, and the very few items upon which they insisted, even though many of them are unimportant in character.

Mr. WATSON. Mr. President, whether he confines himself to the facts or wanders about in the broad realm of imagination and speculation, I always listen with keen delight to my distinguished friend from Mississippi [Mr. HARRISON]. The Senator did not wait until the conference report was filed in the Senate in order to make his speech. The reason is very evident. He wanted to make his speech so as to get it into the newspapers first in order to lead the country to think that we on this side are responsible, instead of him and his Democratic colleagues being responsible, for the condition now existing in the Senate with reference to the tariff bill.



If it had not been for the point of order made on his side of the Chamber, we would not be confronted with that situation to-day in the Senate. We would have had in the bill the provision relating to the flexible tariff, the power of the commission, and the power of the President, just as the conference committee originally brought it back, which is what the Senator from Mississippi now claims he wants. We are not responsible for casting out that provision. We on this side would have voted for it as a unit if we had been given an opportunity to do so. But over on the other side of the Chamber a point of order was made, and, without knowing, I believe that in all human probability it was made without any consultation with the Senator from North Carolina [Mr. SIMMONS] or the Senator from Mississippi [Mr. HARRISON], because I am satisfied that both of them were in favor of the flexible provision as we brought it back originally and that neither of them would have moved to cast it out of the measure.

But now my friend from Mississippi very volubly argues against the provision now incorporated in the report, although he and his Democratic colleagues are responsible for what has happened and we on this side of the Chamber are not at all responsible, because if we had had our way, the other proposal would have been incorporated in the bill just as we wanted it incorporated there.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Kentucky?

Mr. WATSON. I yield.

Mr. BARKLEY. There seems to be a rather amazing suggestion here this morning that in some way I did something that was not strictly in line with the performance of my duties when I made the point of order. The odium, if it is odium, is cast on this side of the Chamber. I desire to say that I made the point of order on my own responsibility without consulting anybody else, either on this side of the Chamber or on the other side. I made the point of order because I believed the provision written in the bill by the conference committee was in violation of the rules of the Senate.

I made the point of order also because if the Congress is to be denied the right to make tariff rates, I would rather those rates would be made by somebody who could be held responsible, and who would be responsible to the American people, than to have them made by a hand-picked commission without responsibility to anybody and without any power on the part of anyone to overrule their action. I make no apology to anyone in the Senate nor to anyone outside the Senate for having made the point of order.

Mr. WATSON. Mr. President, I have no doubt the Senator acted entirely within his authority and within his rights. I had no thought of ascribing motives to him that were other than just and honorable. Nevertheless, the fact remains that the Senator made the point of order, and because the Senator from Kentucky made the point of order the conference report went back to the conference committee. Notwithstanding the fact that the Senator from North Carolina [Mr. SIMMONS] and the Senator from Mississippi [Mr. HARRISON], together with the three Republican conferees on the part of the Senate, united on the flexible provision which was in the other report, the Senator from Kentucky himself is responsible for having cast it out, and we on this side of the aisle are not responsible, because if we had had our way about it that would have been the provision in the bill and not what is now reported back from the conference committee.

Mr. President, my genial friend from Mississippi [Mr. HARRISON] charges that the President was responsible for all of this, that he was reaching out for greater power. I want to say to my good friend that nothing is wider of the mark than that statement.

Mr. HARRISON. Mr. President, may I ask the Senator from Indiana whether it is not true that the President worked it out through others and not through the Senator from Indiana?

Mr. WATSON. No; I know exactly what happened.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Utah?

Mr. WATSON. I yield.

Mr. SMOOT. I want to ask the Senator from Mississippi whether he knows that the President ever saw that paper or not?

Mr. HARRISON. I ask the Senator from Utah, and I ask the Senator from Indiana, too, if he did not put the question to Chairman HAWLEY whether or not this was known to the President, and whether it was acceptable?

Mr. SMOOT. Congressman HAWLEY never said that it came from the President or that the President ever saw it.

Mr. HARRISON. Did he not say this would meet with the President's approval?

Mr. SMOOT. No; he did not go that far.

Mr. HARRISON. How far did he go?

Mr. SMOOT. He said he had good reason to believe that it would.

Mr. HARRISON. Did not the Senator believe that this draft had been handed to Mr. HAWLEY by Mr. Newton, secretary to the President, and did he not get that impression?

Mr. SMOOT. No; I did not.

Mr. HARRISON. What impression did the Senator get?

Mr. SMOOT. My impression was that the House conferees submitted it to the conference.

Mr. HARRISON. Did not the Senator hear Mr. TREADWAY and Mr. BACHARACH, House members of the conference committee, say they had never seen a copy of it, and did he not hear the Senator from Indiana [Mr. WATSON] say he never saw a copy of it, and did not the Senator from Utah state that he never saw anything about the proposition, but that Mr. HAWLEY brought it in there and placed it before the conference one morning and said he believed it was agreeable to the President, and left the impression that it was handed to him by Mr. Newton, and the next morning was not the chairman of the Finance Committee [Mr. SMOOT] in conference with Mr. HAWLEY, the chairman of the House conferees, and did they not together with Mr. Walter Newton go over the proposition?

Mr. SMOOT. No; I say that is not the fact. I never met with Mr. Newton and Mr. HAWLEY at any time to go over the provision.

Mr. HARRISON. Was not Mr. Newton in conference with the chairman of the Finance Committee and Mr. HAWLEY that morning before we met?

Mr. SMOOT. These are the facts. I came to the committee at 10 o'clock. I went into the room and Mr. Newton was there. I did not know he was there any more than the Senator from Mississippi knew he was there.

Mr. HARRISON. Was not Mr. HAWLEY there?

Mr. SMOOT. Yes; he was there.

Mr. HARRISON. Did they not collaborate?

Mr. SMOOT. I do not know whether they did or not. They did not when I was there. I did not collaborate with Mr. Newton in any way, shape, or form.

The PRESIDING OFFICER (rapping for order). The Senator from Indiana has the floor.

Mr. WATSON. I thank the Chair.

Mr. SIMMONS. Mr. President, will my friend from Indiana yield to me?

Mr. WATSON. Oh, certainly; I am glad to yield to the Senator from North Carolina.

Mr. SIMMONS. My recollection about this matter is that just before we voted upon the flexible provision which was incorporated in our first report, the question was asked Mr. HAWLEY, the chairman of the conferees on the part of the House, if the President disapproved that provision as it was drafted and presented and upon which we were about to vote. He said, "The President approves of it." I think that is all that was said.

Mr. SMOOT. Mr. President, will the Senator from Indiana yield further to me?

The PRESIDING OFFICER. Does the Senator from Indiana yield further to the Senator from Utah?

Mr. WATSON. I yield.

Mr. SMOOT. Mr. President, I send to the desk the report of the committee of conference on the disagreeing votes of the two Houses on the tariff bill and ask that it be printed. I will state that I should like to call up the report for consideration on next Monday.

The PRESIDING OFFICER. The report will be received, printed, and lie on the table.

The report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the following numbered amendments of the Senate to the bill (H. R. 2667) to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes, namely, amendments numbered 40, 41, 42, 43, 48, 49, 65, 66, 67, 364, 371, 374, 375, 377, 379, 380, 381, 383, 385, 386, 387, 885, 893, 895, 896, 897, 898, 899, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 913, 914, 915, 916, 917, 919, 920, 921, 922, 923, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 940, 942, 945, 946, 947, 948, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 987, 989, 992, 993, 995, 997, 999, 1002, 1003, 1004, 1006, 1008, 1009, 1010, 1012, 1013, 1014, 1015,



1016, 1017, 1018, 1019, 1020, 1021, 1022, 1023, 1024, 1025, 1026, 1027, 1028, 1029, 1031, 1032, 1033, 1034, 1036, 1037, 1038, 1039, 1040, 1041, 1046, 1047, 1048, 1049, 1050, 1051, 1052, 1053, 1055, 1057, 1058, 1059, 1060, 1061, 1062, 1063, 1064, 1066, 1067, 1068, 1070, 1071, 1072, 1074, 1075, 1076, 1077, 1078, 1079, 1080, 1081, 1082, 1085, 1086, 1087, 1089, 1090, 1091, 1093, 1094, 1095, 1096, 1098, 1099, 1102, 1103, 1104, 1105, 1109, 1111, 1112, 1128, 1129, 1130, 1131, 1132, 1133, 1134, 1135, 1138, 1139, 1140, 1141, 1151, 1156, 1157, 1171, and 1179, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 364, 885, 893, 903, 904, 1004, 1006, 1095, 1128, 1134, 1138, 1139, 1141, and 1156.

That the House recede from its disagreement to the amendments of the Senate numbered 40, 41, 42, 43, 48, 49, 65, 66, 67, 374, 375, 377, 379, 380, 381, 383, 385, 386, 387, 895, 896, 897, 898, 899, 901, 902, 905, 906, 907, 908, 909, 910, 911, 913, 914, 915, 916, 917, 919, 920, 921, 922, 923, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 940, 942, 945, 946, 947, 948, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 1091, 1093, 1129, 1132, and 1133, and agree to the same.

Amendment numbered 371: That the House recede from its disagreement to the amendment of the Senate numbered 371, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 401. Timber hewn, sided, or squared, otherwise than by sawing, and round timber used for spars or in building wharves; sawed lumber and timber not specially provided for; all the foregoing, if of fir, spruce, pine, hemlock, or larch, \$1 per thousand feet, board measure, and in estimating board measure for the purposes of this paragraph no deduction shall be made on account of planing, tonguing, and grooving: *Provided*, That there shall be exempted from such duty boards, planks, and deals of fir, spruce, pine, hemlock, or larch; in the rough or not further manufactured than planed or dressed on one side, when imported from a country contiguous to the continental United States, which country admits free of duty similar lumber imported from the United States."

And the Senate agree to the same.

Amendment numbered 969: That the House recede from its disagreement to the amendment of the Senate numbered 969, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1709"; and the Senate agree to the same.

Amendment numbered 970: That the House recede from its disagreement to the amendment of the Senate numbered 970, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1710"; and the Senate agree to the same.

Amendment numbered 971: That the House recede from its disagreement to the amendment of the Senate numbered 971, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1711"; and the Senate agree to the same.

Amendment numbered 972: That the House recede from its disagreement to the amendment of the Senate numbered 972, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1712"; and the Senate agree to the same.

Amendment numbered 973: That the House recede from its disagreement to the amendment of the Senate numbered 973, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1713"; and the Senate agree to the same.

Amendment numbered 974: That the House recede from its disagreement to the amendment of the Senate numbered 974, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1714"; and the Senate agree to the same.

Amendment numbered 975: That the House recede from its disagreement to the amendment of the Senate numbered 975, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1715"; and the Senate agree to the same.

Amendment numbered 976: That the House recede from its disagreement to the amendment of the Senate numbered 976, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1716"; and the Senate agree to the same.

Amendment numbered 977: That the House recede from its disagreement to the amendment of the Senate numbered 977, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1717"; and the Senate agree to the same.

Amendment numbered 978: That the House recede from its disagreement to the amendment of the Senate numbered 978, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1718"; and the Senate agree to the same.

Amendment numbered 979: That the House recede from its disagreement to the amendment of the Senate numbered 979, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1719"; and the Senate agree to the same.

Amendment numbered 980: That the House recede from its disagreement to the amendment of the Senate numbered 980, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1720"; and the Senate agree to the same.

Amendment numbered 981: That the House recede from its disagreement to the amendment of the Senate numbered 981, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1721"; and the Senate agree to the same.

Amendment numbered 982: That the House recede from its disagreement to the amendment of the Senate numbered 982, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1722"; and the Senate agree to the same.

Amendment numbered 983: That the House recede from its disagreement to the amendment of the Senate numbered 983, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 1723. Muzzle-loading muskets, shotguns, rifles, and parts thereof."

And the Senate agree to the same.

Amendment numbered 984: That the House recede from its disagreement to the amendment of the Senate numbered 984, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1724"; and the Senate agree to the same.

Amendment numbered 985: That the House recede from its disagreement to the amendment of the Senate numbered 985, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1725"; and the Senate agree to the same.

Amendment numbered 987: That the House recede from its disagreement to the amendment of the Senate numbered 987, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1726"; and the Senate agree to the same.

Amendment numbered 989: That the House recede from its disagreement to the amendment of the Senate numbered 989, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1727"; and the Senate agree to the same.

Amendment numbered 992: That the House recede from its disagreement to the amendment of the Senate numbered 992, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1728. Nux vomica, gentian, sarsaparilla root, belladonna, henbane, stramonium, and ergot"; and the Senate agree to the same.

Amendment numbered 993: That the House recede from its disagreement to the amendment of the Senate numbered 993, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1729"; and the Senate agree to the same.

Amendment numbered 995: That the House recede from its disagreement to the amendment of the Senate numbered 995, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1730"; and the Senate agree to the same.

Amendment numbered 997: That the House recede from its disagreement to the amendment of the Senate numbered 997, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1731"; and the Senate agree to the same.

Amendment numbered 999: That the House recede from its disagreement to the amendment of the Senate numbered 999, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1732"; and the Senate agree to the same.

Amendment numbered 1002: That the House recede from its disagreement to the amendment of the Senate numbered 1002, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1733"; and the Senate agree to the same.







Amendment numbered 1086: That the House recede from its disagreement to the amendment of the Senate numbered 1086,



and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1800"; and the Senate agree to the same.

Amendment numbered 1087: That the House recede from its disagreement to the amendment of the Senate numbered 1087, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1801"; and the Senate agree to the same.

Amendment numbered 1089: That the House recede from its disagreement to the amendment of the Senate numbered 1089, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1802"; and the Senate agree to the same.

Amendment numbered 1090: That the House recede from its disagreement to the amendment of the Senate numbered 1090, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1803"; and the Senate agree to the same.

Amendment numbered 1094: That the House recede from its disagreement to the amendment of the Senate numbered 1094, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1804"; and the Senate agree to the same.

Amendment numbered 1096: That the House recede from its disagreement to the amendment of the Senate numbered 1096, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1805"; and the Senate agree to the same.

Amendment numbered 1098: That the House recede from its disagreement to the amendment of the Senate numbered 1098, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1806"; and the Senate agree to the same.

Amendment numbered 1099: That the House recede from its disagreement to the amendment of the Senate numbered 1099, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1807"; and the Senate agree to the same.

Amendment numbered 1102: That the House recede from its disagreement to the amendment of the Senate numbered 1102, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1808"; and the Senate agree to the same.

Amendment numbered 1103: That the House recede from its disagreement to the amendment of the Senate numbered 1103, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1809"; and the Senate agree to the same.

Amendment numbered 1104: That the House recede from its disagreement to the amendment of the Senate numbered 1104, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1810"; and the Senate agree to the same.

Amendment numbered 1105: That the House recede from its disagreement to the amendment of the Senate numbered 1105, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1811"; and the Senate agree to the same.

Amendment numbered 1109: That the House recede from its disagreement to the amendment of the Senate numbered 1109, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"PAR. 1812. Gobelin tapestries used as wall hangings."

And the Senate agree to the same.

Amendment numbered 1111: That the House recede from its disagreement to the amendment of the Senate numbered 1111, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1813"; and the Senate agree to the same.

Amendment numbered 1112: That the House recede from its disagreement to the amendment of the Senate numbered 1112, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "1814"; and the Senate agree to the same.

Amendment numbered 1130: That the House recede from its disagreement to the amendment of the Senate numbered 1130, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert a comma and the following: "but in no event for longer than 90 days after the effective date of this act"; and the Senate agree to the same.

Amendment numbered 1131: That the House recede from its disagreement to the amendment of the Senate numbered 1131, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment

insert "No person shall be eligible for appointment as a commissioner unless he is a citizen of the United States, and, in the judgment of the President, is possessed of qualifications requisite for developing expert knowledge of tariff problems and efficiency in administering the provisions of Part II of this title. Not more than three of the commissioners shall be members of the same political party, and in making appointments members of different political parties shall be appointed alternately as nearly as may be practicable" and a period; and the Senate agree to the same.

Amendment numbered 1135: That the House recede from its disagreement to the amendment of the Senate numbered 1135, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert "\$11,000"; and the Senate agree to the same.

Amendment numbered 1140: That the House recede from its disagreement to the amendment of the Senate numbered 1140, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Sec. 336. Equalization of costs of production.

"(a) Change of classification or duties: In order to put into force and effect the policy of Congress by this act intended, the commission (1) upon request of the President, or (2) upon resolution of either or both Houses of Congress, or (3) upon its own motion, or (4) when in the judgment of the commission there is good and sufficient reason therefor, upon application of any interested party, shall investigate the differences in the costs of production of any domestic article and of any like or similar foreign article. In the course of the investigation the commission shall hold hearings and give reasonable public notice thereof, and shall afford reasonable opportunity for parties interested to be present, to produce evidence, and to be heard at such hearings. The commission is authorized to adopt such reasonable procedure and rules and regulations as it deems necessary to execute its functions under this section. The commission shall report to the President the results of the investigation and its findings with respect to such differences in costs of production. If the commission finds it shown by the investigation that the duties expressly fixed by statute do not equalize the differences in the costs of production of the domestic article and the like or similar foreign article when produced in the principal competing country, the commission shall recommend in its report such increases or decreases in rates of duty expressly fixed by statute (including any necessary change in classification) as it finds shown by the investigation to be necessary to equalize such differences. In no case shall the total increase or decrease of such rates of duty exceed 50 per cent of the rates expressly fixed by statute.

"(b) Change to American selling price: If the commission finds upon any such investigation that such differences can not be equalized by proceeding as hereinbefore provided, it shall so state in its report to the President and shall specify therein such ad valorem rates of duty based upon the American selling price (as defined in sec. 402 (g)) of the domestic article, as it finds shown by the investigation to be necessary to equalize such differences. In no case shall the total decrease of such rates of duty exceed 50 per cent of the rates expressly fixed by statute, and no such rate shall be increased.

"(c) Proclamation by the President: The President shall by proclamation approve the rates of duty and changes in classification and in basis of value specified in any report of the commission under this section, if in his judgment such rates of duty and changes are shown by such investigation of the commission to be necessary to equalize such differences in costs of production.

"(d) Effective date of rates and changes: Commencing 30 days after the date of any presidential proclamation of approval the increased or decreased rates of duty and changes in classification or in basis of value specified in the report of the commission shall take effect.

"(e) Ascertainment of differences in costs of production: In ascertaining under this section the differences in costs of production, the commission shall take into consideration, in so far as it finds it practicable:

"(1) In the case of a domestic article: (A) The cost of production as hereinafter in this section defined; (B) transportation costs and other costs incident to delivery to the principal market or markets of the United States for the article; and (C) other relevant factors that constitute an advantage or disadvantage in competition.

"(2) In the case of a foreign article: (A) The cost of production as hereinafter in this section defined, or, if the commission finds that such cost is not readily ascertainable, the commission may accept as evidence thereof, or as supplemental thereto, the weighted average of the invoice prices or values



for a representative period, and/or the average wholesale selling price for a representative period (which price shall be that at which the article is freely offered for sale to all purchasers in the principal market or markets of the principal competing country or countries in the ordinary course of trade and in the usual wholesale quantities in such market or markets); (B) transportation costs and other costs incident to delivery to the principal market or markets of the United States for the article; (C) other relevant factors that constitute an advantage or disadvantage in competition, including advantages granted to the foreign producers by a government, person, partnership, corporation, or association, in a foreign country.

"(f) Modification of changes in duty: Any increased or decreased rate of duty or change in classification or in basis of value which has taken effect as above provided may be modified or terminated in the same manner and subject to the same conditions and limitations (including time of taking effect) as is provided in this section in the case of original increases, decreases, or changes.

"(g) Prohibition against transfers from the free list to the dutiable list or from the dutiable list to the free list: Nothing in this section shall be construed to authorize a transfer of an article from the dutiable list to the free list or from the free list to the dutiable list, nor a change in form of duty. Whenever it is provided in any paragraph of Title I of this act, or in any amendatory act, that the duty or duties shall not exceed a specified ad valorem rate upon the articles provided for in such paragraph, no rate determined under the provisions of this section upon such articles shall exceed the maximum ad valorem rate so specified.

"(h) Definitions: For the purpose of this section—

"(1) The term 'domestic article' means any article wholly or in part the growth or product of the United States; and the term 'foreign article' means an article wholly or in part the growth or product of a foreign country.

"(2) The term 'United States' includes the several States and Territories and the District of Columbia.

"(3) The term 'foreign country' means any empire, country, dominion, colony, or protectorate, or any subdivision or subdivisions thereof (other than the United States and its possessions).

"(4) The term 'cost of production,' when applied with respect to either a domestic article or a foreign article, includes, for a period which is representative of conditions in production of the article: (A) The price or cost of materials, labor costs, and other direct charges incurred in the production of the article and in the processes or methods employed in its production; (B) the usual general expenses, including charges for depreciation or depletion which are representative of the equipment and property employed in the production of the article and charges for rent or interest which are representative of the cost of obtaining capital or instruments of production; and (C) the cost of containers and coverings of whatever nature, and other costs, charges, and expenses incident to placing the article in condition packed ready for delivery.

"(i) Rules and regulations of President: The President is authorized to make all needful rules and regulations for carrying out his functions under the provisions of this section.

"(j) Rules and regulations of Secretary of Treasury: The Secretary of the Treasury is authorized to make such rules and regulations as he may deem necessary for the entry and declaration of foreign articles of the class or kind of articles with respect to which a change in basis of value has been made under the provisions of subdivision (b) of this section, and for the form of invoice required at time of entry.

"(k) Investigations prior to the enactment of act: All uncompleted investigations instituted prior to the approval of this act under the provisions of section 315 of the tariff act of 1922, including investigations in which the President has not proclaimed changes in classification or in basis of value or increases or decreases in rates of duty, shall be dismissed without prejudice; but the information and evidence secured by the commission in any such investigation may be given due consideration in any investigation instituted under the provisions of this section."

And the Senate agree to the same.

Amendment numbered 1151: That the House recede from its disagreement to the amendment of the Senate numbered 1151, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"SEC. 339. Effect of reenactment of existing law: Notwithstanding the repeal by section 651 of the laws relating to the United States Tariff Commission and their reenactment in sections 330 to 338, inclusive, with modifications, the unexpended balances of appropriations available for the commission at the

time this section takes effect shall remain available for the commission in the administration of its functions under this act; and such repeal and reenactment shall not operate to change the status of the officers and employees under the jurisdiction of the commission at the time this section takes effect. No investigation or other proceeding pending before the commission at such time (other than proceedings under section 315 of the tariff act of 1922) shall abate by reason of such repeal and reenactment, but shall continue under the provisions of this act."

And the Senate agree to the same.

Amendment numbered 1157: That the House recede from its disagreement to the amendment of the Senate numbered 1157, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert the following:

"(4) In the case of an article with respect to which there is in effect under section 336 a rate of duty based upon the American selling price of a domestic article, then the American selling price of such article."

And the Senate agree to the same.

Amendment numbered 1171: That the House recede from its disagreement to the amendment of the Senate numbered 1171, and agree to the same with an amendment as follows: In lieu of the matter proposed to be stricken out by the Senate amendment insert "and in subdivision (j) of section 336 of this act"; and the Senate agree to the same.

Amendment numbered 1179: That the House recede from its disagreement to the amendment of the Senate numbered 1179, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"Furniture described in paragraph 1811 shall enter the United States at ports which shall be designated by the Secretary of the Treasury for this purpose. If any article described in paragraph 1811 and imported for sale is rejected as unauthentic in respect to the antiquity claimed as a basis for free entry, there shall be imposed, collected, and paid on such article, unless exported under customs supervision, a duty of 25 per cent of the value of such article in addition to any other duty imposed by law upon such article."

And the Senate agree to the same.

REED SMOOT,  
JAMES E. WATSON,  
SAMUEL M. SHORTRIDGE,

*Managers on the part of the Senate.*

W. C. HAWLEY,  
ALLEN T. TREADWAY,  
ISAAC BACHARACH,

*Managers on the part of the House.*

Mr. HARRISON. Mr. President, will the Senator from Indiana yield to me in connection with this matter?

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Mississippi?

Mr. WATSON. Oh, assuredly.

Mr. HARRISON. May I ask the Senator from Indiana, whose recollection is always good—

Mr. WATSON. I thank the Senator.

Mr. HARRISON. Is it not the Senator's recollection that when the question was put to Mr. HAWLEY whether or not this was approved by the President, he said, "I desire not to answer that" or "I prefer not to answer it, but it would be very agreeable to the President."

Mr. WATSON. I think he said that it would not be displeasing to the President or that it was satisfactory to the President—and I think it was.

Mr. HARRISON. I am satisfied with that statement.

Mr. WATSON. I think it was satisfactory to the President. I am going to explain, if I ever get a chance—

Mr. SIMMONS. His express statement, may I remind the Senator from Indiana, was in answer to the question if it would be disapproved by the President. He said, "On the contrary, it will be acceptable to the President."

Mr. SMOOT. No; he did not say that.

Mr. WATSON. I am going to tell just what was said if I ever get the chance.

Mr. SIMMONS. He conveyed that idea. I do not mean to say whether the President knew Mr. Newton was there or not, but I understood Mr. HAWLEY to state in response to a question—I do not know who propounded it—that that draft would be acceptable to the President.

Mr. SMOOT. No; he did not go that far.

Mr. SIMMONS. Does the Senator say that is not correct?

Mr. SMOOT. Yes; he did not go that far.

Mr. SIMMONS. What did he say?



Mr. WATSON. Mr. President, I wish the Senator from North Carolina and the Senator from Utah would fight that out at a later time. I want to use a little of my own time, if I may do so.

Mr. SIMMONS. When a Senator says that I have not exactly stated the thing as it happened, I would like him to state in what particular my statement varies from the statement that Mr. HAWLEY made.

Mr. SMOOT. All he did, as I said before, was to express the opinion that it would not be objectionable. That is as far as Mr. HAWLEY ever went in any statement I ever heard him make.

Mr. SIMMONS. That is substantially what I said.

Mr. SMOOT. Mr. President, will the Senator from Indiana yield further to me at this time?

Mr. WATSON. Certainly; I yield.

Mr. SMOOT. I promised that I would tell the Senator from Mississippi [Mr. HARRISON] and also the Senator from Kentucky [Mr. BARKLEY] the word that was left out in the first publication. This is the way it read:

Agriculture will benefit greatly by the new tariff bill.

It should have read:

Agricultural commodities will benefit greatly by the new tariff bill.

Mr. GEORGE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Georgia?

Mr. WATSON. I yield.

Mr. GEORGE. That is the word that was left out?

Mr. SMOOT. Yes.

Mr. GEORGE. I thought there was a word left out following the word "will." I thought the word "not" was left out. [Laughter.]

Mr. SMOOT. The Senator himself would have been glad to provide that word.

Mr. GEORGE. The Senator from Utah is sure there was only the one word that was omitted? I was confident the word which was omitted was "not."

Mr. SMOOT. The Senator from Georgia happens to be mistaken for once in his life.

The PRESIDING OFFICER. The Senator from Indiana has the floor.

Mr. WATSON. Mr. President, the honorable Senator from Mississippi [Mr. HARRISON] in the course of his remarks suggested that the reason for the change in the flexible provision from what the conference committee reported the other day to what it has just reported is the fact that the President is trying to seize greater authority and that he wants more power. I propose to tell exactly what happened, which will be a complete answer to the Senator from Mississippi and an entire refutation of his statement.

The Senator from Mississippi will remember, as will the Senator from North Carolina, that when the flexible provision came up in conference the position was taken, first, that we could not discuss it because we were bound to have a vote in the Senate or be released from our obligation before it could be discussed. But the Senator from Mississippi will recall that I proceeded to discuss it anyway and to say that certain changes should be made in the language of the House text.

Among other things, I said it was desirable that we should strike out the term "competitive conditions" as a basis of rate making and go back to the old method of fixing rates in accordance with the difference in the cost of production here and abroad. As is well known, we finally agreed to that basis. Mr. President, that suggestion came directly from the President of the United States, who did not want the term "competitive conditions" in the bill.

Furthermore, I suggested that instead of seven members of the commission we should have six. The Senator from Mississippi will recall that in the conference committee I made two or three statements as to that feature, asserting that if there were seven commissioners, four of whom were Republicans or four of whom were Democrats, when they gathered around the conference table they would inevitably run into politics; because, having a majority, they would simply take possession of the situation in a political and bipartisan fashion and submit findings in accordance with their partisan ideas. So, if we intended to have a bipartisan commission to find the facts, or to suggest rates, the only way to accomplish that end would be to have three Republicans and three Democrats, so that there could not be a partisan majority in the commission.

Mr. GLASS. Mr. President—

Mr. WATSON. I yield.

Mr. GLASS. Did not the Senator contemplate three protective-tariff Democrats and three Republicans—which is a contradiction in terms?

Mr. WATSON. I was not contemplating anything along that line, because I am assuming that the whole Democratic Party has come to be a protective-tariff party. If we may believe what Democratic leaders said in the last campaign, if we may accept the utterances of Governor Smith at Louisville, the Democrats mounted so high on the protective-tariff platform that they almost pushed us old "standpatters" entirely off.

Mr. GLASS. Yes; and perhaps that contributed to their overwhelming defeat at the last election.

Mr. WATSON. Of course, the Democratic Party met with an overwhelming defeat, but, after all, is it not true that that party in reality has come almost literally to be a protective-tariff party?

Mr. GLASS. No; there are not half a dozen of us over here for the protective tariff.

Mr. WATSON. I am referring to the country; I am not speaking of the Senate.

Mr. GLASS. Well, there are not many more than that in the entire country.

Mr. WATSON. But is it not true that, while the Democrats in this body may not be for this bill, there are Democrats in this body in large number committed to the doctrine of protection?

Mr. GLASS. Some of them take the position that while the robbery is going on they want their share of it.

Mr. WATSON. In other words, they are protectionists for commodities produced in their own States and for free trade for the products of other States; that is their consistency. However, Mr. President, I did not start out to argue that question—

Mr. GLASS. And the Senator has not done so.

Mr. WATSON. I wanted to tell the Senate just how the report came to be made.

Mr. President, I rarely quote the President of the United States; I do not think it is fair to do so; but I want to say that in every talk I have had with the President of the United States about this situation he stated that he wanted a tariff commission to have all the authority except that he should have the power either to sign or to veto the recommendations of the Tariff Commission, just as he signs or vetoes bills passed by Congress.

Mr. ROBINSON of Arkansas. Mr. President, will the Senator yield?

Mr. WATSON. The President said, "I want a straight nonpartisan commission; I want that nonpartisan commission to go into the whole question; I think that, so far as it is permissible under the constitutional authority the commission ought to be permitted to make rates, and let those rates be submitted to the President of the United States, because, if the tariff can be taken out of politics, I want it taken out of politics." I now yield to the Senator from Arkansas.

Mr. ROBINSON of Arkansas. The Senator has indicated the President's approval of the flexible provision of the latest conference report.

Mr. WATSON. Not the last one brought in, but the previous one.

Mr. ROBINSON of Arkansas. Well, can the Senator give us information touching the very much-discussed subject referred to around the Chamber and in the press as to whether the President will sign or veto the bill if the latest conference report shall be adopted?

Mr. WATSON. Of course, I have never asked the President of the United States anything about that, but I presume the President will sign the bill.

The President of the United States, as I have said, wanted a bipartisan or a nonpartisan commission; he wanted it given such power as the extreme limits of the Constitution would permit; he wanted the business world to be satisfied, so far as is humanly possible, that the tariff would be taken out of politics. So we put a provision in the bill with teeth in it.

We wanted to give the Tariff Commission that power and that right; and had it not been for a point of order made by my genial friend from Kentucky [Mr. BARKLEY] it would have been in the tariff bill unless some other Senator had made the point of order; and the President of the United States would have signed it, because it complied with his ideas as to what should be done down to the very last letter. So, instead of reaching for more power, the President of the United States wanted the Tariff Commission to have the power and the right originally to suggest the rates.

I see my good friend from Texas, Mr. GARNER, sitting here. I am sorry he can not speak in this presence; but he agrees with me all the way through as to the power of the Tariff Commission and as to what authority it should have; that it should be nonpartisan; that it should have the right originally to suggest rates; and that the President of the United States should have



no right whatever conferred upon him except the right either to sign or to veto the rates suggested by the Tariff Commission. That is the kind of a provision we brought into the Senate Chamber; that is what we wanted; that is what the President of the United States wanted, and what the President of the United States would have had if it had not been for the ruling made by the Vice President the other day on a point of order which was raised.

Mr. BARKLEY. Mr. President—

Mr. WATSON. I yield to the Senator from Kentucky.

Mr. BARKLEY. The new report not being available, it is impossible to know what are its terms; but does the new report take from the Tariff Commission the power to suggest rates?

Mr. WATSON. No.

Mr. BARKLEY. It leaves that power with the commission?

Mr. WATSON. It leaves with the commission the power to specify a rate.

Mr. BARKLEY. So that the point of order did not interfere with that?

Mr. WATSON. It did not interfere with the power to specify a rate.

Mr. BARKLEY. That is what I am talking about.

Mr. WATSON. Yes.

Mr. BARKLEY. Does the new report confine the President in the exercise of his power to the approval or disapproval of a rate which the commission may suggest?

Mr. WATSON. Yes; certainly.

Mr. BARKLEY. So the point of order did not interfere with that?

Mr. WATSON. The point of order interfered with the full authority of the commission to act in agreement with the provisions we first prescribed in the conference report as presented.

Mr. BARKLEY. In other words, the new report leaves with the commission all the power it would have possessed under the conference report originally, except the power to promulgate rates at the end of 60 days if the President failed to act. Is that correct?

Mr. WATSON. Well, Mr. President, that was a part of the whole plan. Now the President has unlimited authority and unlimited time in which to act. Of course, with all due respect to the Vice President, my dear friend of almost 40 years standing, I do not agree with his ruling. I thought and still think where a provision is adopted by the House, and a different one is adopted by the Senate, and they are as wide apart as they were in this instance, that "the sky is the limit" when the conference committee comes together. I believe it is so considered on the House side, and in that body there is also an additional advantage, for if a point of order had been raised there and the provision had been held out of order, the Committee on Rules could have brought in a rule making it in order, and by adopting the rule, in an hour it would have been in order. We do not have that privilege over here; and so when the Vice President decided the provision obnoxious to the rule, the only recourse we had was to appeal from and undertake to override the decision of the Vice President; but, largely because of the affectionate regard in which the Vice President is held by Members of this body, we all know that could not have been done, regardless of the merits of the proposition. So what is the use of our engaging in the tomfoolery of imagining vain things when we know what the situation is?

Mr. President, I want to say to my genial friend from Mississippi that instead of the President obtaining more power he will have less power; and instead of the President reaching out for power in connection with the previous conference report, he was shearing himself of the power which he already had under existing law, because he wanted, by means of a non-partisan tariff commission which would find the facts, I will say to my smiling friend from Virginia, to take the tariff out of politics, so far as humanly possible to do so.

Of course, personally I never believed that it could be taken out of politics, for I do not think the tariff can be taken out of politics any more than blood can be taken out of a man's body and he be expected to live. But there are millions of people who believe it can be done, and, for one, I was willing to make the effort, in order to see whether or not it could be done.

I was particularly anxious to do it, Mr. President, after the exhibition of tariff making we have had here in the Senate of the United States during the last nine months. Think of a tariff bill being in the Senate for nine long months, and during all that time being fought over up hill and down dale in the most meticulous fashion! It might have been thought almost impossible, with labor reaching out and demanding that the tariff bill be passed, with agriculture asking that we hurry through with it, and with the manufacturing industries everywhere standing on tiptoe waiting for its passage, that a legislative body representing a great people could not pass it; but, not-

withstanding this incessant universal demand, it could not be passed even after nine months, simply because of a point of order being made and being sustained by the President of the Senate.

Mr. BARKLEY. Mr. President—

The PRESIDING OFFICER. Does the Senator from Indiana yield to the Senator from Kentucky?

Mr. WATSON. I yield.

Mr. BARKLEY. However unfortunate it may be that the tariff bill has dragged out over 18 months, nobody can deny that its construction has been in the open, with the public looking on. Can the Senator compare that situation with what might have happened if the tariff bill had been considered in secret, either by Congress or by the Tariff Commission or by the President; and will the Senator from Indiana contend, in matters of taxation, involving burdens upon the American people amounting to millions, or to billions of dollars, I should say, that the people have not a right to know what goes on and the method by which those taxes are levied by having them considered in the open, rather than to have them levied in secret, the people thereby being deprived of the power even to protest until it is too late?

Mr. WATSON. Mr. President, my friend's question is based upon several hypotheses, none of which exists or ever has existed. The idea that a tariff bill should be considered in secret, of course, never occurred to anyone. I do not know of anybody who wants a tariff bill considered in secret; I never thought of such a thing, and never heard of it being suggested.

Mr. BARKLEY. The practical effect is that that is the way increased tariff rates are considered either by the Tariff Commission or by the President. The general public knows nothing about it until the proclamation is issued putting into effect an increased rate.

Mr. WATSON. The second hypothesis upon which my friend bases his question is that the tariff is taxation. I do not agree to that for a single moment.

The third hypothesis is that it will cost the American people billions of dollars. I do not agree to that for a holy minute.

Mr. BARKLEY. Mr. President, will the Senator yield further?

Mr. WATSON. I yield.

Mr. BARKLEY. If the tariff bill is not taxation, why is it required that tariff bills shall originate in the House of Representatives?

Mr. WATSON. Because tariff bills have to do with the revenue.

Mr. BARKLEY. And revenue is taxation.

Mr. WATSON. A measure affecting the revenue does not necessarily imply that it imposes taxation.

Mr. BARKLEY. Of course, it does.

Mr. WATSON. There are two kinds of taxes imposed. Import duties are not taxes. I am not going to argue that, but it is as old as the history of the United States that when a tariff is levied on some commodity, by and by home competition cuts down the price; the article is produced at home; American labor is employed; American capital is invested; and the thrift, the power, and the prosperity of the American people are promoted. That is the history of the protective tariff, as everybody knows.

Mr. HARRISON. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Mississippi?

Mr. WATSON. I yield.

Mr. HARRISON. Of course, the Senator is well versed on this subject; he is an authority on it.

Mr. WATSON. I thank the Senator; and so is the Senator from Mississippi an authority on his side of the question.

Mr. HARRISON. The Senator will agree, will he not, that when we increase the tariff tax on sugar it increases the price to the consumers of sugar?

Mr. WATSON. It may increase it temporarily to a slight extent. That has been the effect, perhaps, in the case of every industry that has been established in this country. There has never been an industry established in America, aside from the automobile industry, which was not established in the first instance by reason of the imposition of a protective tariff duty. The imposition of such tariff duty did, for a short time, increase the price, but by and by home competition cut that price down until the purchaser bought the article at just the price for which it ought to be bought; but the imposition of protective duties resulted in maintaining all the time the American wage scale; and the fundamental consideration in all tariff legislation is the maintenance of the American wage scale and of the standard of living of the American laborer. Everybody who knows that 2 and 2 make 4 knows that is the principle involved in tariff making.



Mr. President, I think I have said about all I want to say. My friend from Mississippi, however, went far afield in saying that the President of the United States was responsible for this last proposition. He was not responsible for it. He was more directly responsible for the first proposition which was brought in and which was more nearly in accord with his ideas and views. What he had to do with the second proposition, I do not know. He probably was consulted about it; I did not consult him, but I imagine that others did. He is the President of the United States; he is the titular head of the Republican Party; he has a right to be consulted on questions of this kind pending before the Congress; and if I had thought that some one else would not have consulted him I should have done so.

Yesterday we brought in all the parliamentary experts we could find around the Capitol; we brought in experts from the Treasury Department, from the legislative drafting service, and those available to the House committee. They worked all day on this proposition, and I think into the night. They took the present law; they took the House bill; they took the Senate bill; they took the last conference report; they took the speech of my friend from Kentucky [Mr. BARKLEY]; they took the speech of the Senator from Montana [Mr. WALSH]; they took them all; they worked them all over for the purpose of formulating a provision that would not be subject to a point of order. They brought it in, and we adopted it without the dotting of an "i" or the crossing of a "t"; and that is how it happens to be in the conference report.

Mr. BARKLEY. Mr. President—

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Kentucky?

Mr. WATSON. I yield.

Mr. BARKLEY. I am afraid the conferees have used so many cooks in making the broth that the chances are it may be wrong again. I have not seen the conference report. I am not even suggesting that any more points of order will be made; but it will be a remarkable performance if, after bringing in that many experts, something wrong is not found with the report.

Mr. WATSON. Is that the only suggestion my friend wants to make?

Mr. BARKLEY. No.

Mr. WATSON. Mr. President, the point about the matter is this: The Senator from Kentucky will have an opportunity very shortly to examine the report, and I think it will satisfy even his scrutinizing eye when he comes to look it over. I do not think it is subject to any point of order. I will say to my friend from Kentucky that it is not such a flexible provision as I wanted. I wanted the last one, because I wanted to see whether or not we could provide a nonpartisan Tariff Commission that, in effect, could fix rates, and, in the last analysis, take the tariff out of politics. It can not be done, in my judgment, under the pending proposition; but it is the best we can get within the limitation of our rules, and that is why we took it.

Mr. BARKLEY. Mr. President, will the Senator yield there?

The VICE PRESIDENT. Does the Senator from Indiana yield to the Senator from Kentucky?

Mr. WATSON. I do.

Mr. BARKLEY. The only change, as I understand, made in this new report is to take from the commission the power to promulgate rates. If that be true, what is there in that that makes it incumbent upon the conferees to provide a partisan Tariff Commission under that situation and a bi-partisan commission where they had the power to promulgate rates?

Mr. WATSON. I will send the report over to the Senator and he can read it himself. This question is not now before the Senate. I should not have risen at all to respond to my friend from Mississippi except that I knew, with his usual cunning, he wanted to get into the newspapers to try to prove to the country that we on this side are responsible for the present situation and to cast the blame on us for having brought in the sort of arrangement now proposed, when in reality we are in no wise responsible. If we had had our way about it, the first proposition would have been adopted. The opposition which struck down the original flexible provision which we wanted came from the other side.

I now yield the floor.

Mr. GLASS. Mr. President, I desire to ask the Senator from Indiana a question. The Senator knows, of course, that his party is altogether responsible for the very origin of the idea of a flexible tariff and of confiding to the President the power of taxation.

Mr. WATSON. I do not agree that it is taxation. If the Senator wants to ask me a question he can leave out "taxation," because I do not agree that the tariff is taxation. What does the Senator want to ask me?

Mr. GLASS. The Senator still adheres to the old, obsolete, worn-out doctrine that the foreigner pays the tax. His party for years and years admitted that it was a tax, but insisted that the foreigner paid the tax. Now the Senator has reached the point where he denies that it is a tax at all.

Mr. WATSON. Mr. President, the doctrine referred to is not only not obsolete but it is alive and active to-day. I am not going to stand here and argue the fundamentals of the tariff with the Senator. Does he want to ask me something about this particular proposition?

Mr. GLASS. I gave the Senator some information about this particular proposition.

Mr. WATSON. I was not aware of that.

Mr. GLASS. I will repeat it. I say that the Republican Party is responsible for the very origin of this idea of transferring from the legislative body to the Executive the power of taxation.

Mr. WATSON. And I accept the responsibility. I want to say to my good friend from Virginia that when in the House I was a member of the Ways and Means Committee and belonged to the old "standpat" crowd, of which Uncle Joe Cannon was the chief sponsor—

Mr. GLASS. The Senator is with them now.

Mr. WATSON. At that time I advocated a tariff commission, because I believed in it. I saw the utter impossibility of the Ways and Means Committee finding the facts. We sat for days and weeks and even months trying to find the facts as to the cost of production at home and abroad, and at the end of that time we did not have anything like accurate knowledge. I believe there ought to be a nonpartisan commission for the purpose of finding facts. I am willing to trust a Democrat to find facts. I do not want to go any further than that.

Mr. GLASS. I should think the Senator would, since the Republicans find so many things that are not facts. I congratulate the Senator on confessing his culpability in the matter.

BUST OF THE LATE LIEUT. JAMES M. GILLISS, UNITED STATES NAVY

The Senate resumed the consideration of the bill (H. R. 4849) to provide for the purchase of a bronze bust of the late Lieut. James Melville Gilliss, United States Navy, to be presented to the Chilean National Observatory.

The VICE PRESIDENT. The question is on the third reading of the bill.

The bill was ordered to a third reading, read the third time, and passed.

#### BILLS AND JOINT RESOLUTION INTRODUCED

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. REED:

A bill (S. 4602) to authorize the Air Corps of the Army to make tests of aircraft and aircraft equipment; to the Committee on Military Affairs.

By Mr. THOMAS of Oklahoma:

A bill (S. 4603) granting a pension to Lauvicle C. Young (with accompanying papers); to the Committee on Pensions.

By Mr. McNARY:

A bill (S. 4604) to authorize the issuance of a special series of stamps commemorative of the one hundredth anniversary of the Old Oregon Trail; to the Committee on Post Offices and Post Roads.

By Mr. BINGHAM:

A bill (S. 4605) granting rights of way for the construction of highways and making reservation therefor over public lands in the Territory of Alaska; to the Committee on Territories and Insular Affairs.

By Mr. HARRIS:

A bill (S. 4606) granting the consent of Congress to the State of Georgia and the counties of Wilkinson, Washington, and Johnson to construct, maintain, and operate a free highway bridge across the Oconee River at or near Balls Ferry, Ga.; to the Committee on Commerce.

By Mr. CAPPER:

A bill (S. 4607) to amend subchapter 5 of chapter 19 of the Code of Law for the District of Columbia, as amended, relating to offenses against public policy; to the Committee on the District of Columbia.

By Mr. SWANSON:

A bill (S. 4608) for the relief of Annie E. Coulter; to the Committee on Pensions.

By Mr. DENEEN:

A bill (S. 4609) for the relief of Harry Krieger; to the Committee on Military Affairs.

By Mr. BROUSSARD (by request):

A bill (S. 4610) for the relief of Antoine Bedway Jedame; to the Committee on Immigration.

By Mr. TYDINGS:

A bill (S. 4611) for the relief of Marion Von Bruning (née Marion Hubbard Treat) and others; to the Committee on Claims.

By Mr. DENEEN:

A joint resolution (S. J. Res. 186) providing for an investigation and report, by a committee to be appointed by the President, with reference to the representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities; to the Committee on Commerce.

#### METAL-CLAD ARMY AIRSHIP

Mr. VANDENBERG. Mr. President, I have introduced a Senate bill to authorize the design, construction, and procurement of a 100-ton metal-clad airship, capable of attaining a speed of 100 miles per hour, for the use of the Army Air Corps. This touches one of the most interesting and courageous and useful developments in air transportation. It is of intimate interest to Michigan because this novel and advanced type of ship is being developed under Michigan auspices at Detroit. But it is of equal import to the whole nation because the metal-clad airship, already justified by governmental experience with it, prophesies the greatest single stride ever taken in aerial navigation whether for peace or war. I ask unanimous consent that the bill and a statement respecting the technical and strategic utilities of the ship which it is thus proposed to build shall be printed in the RECORD, and that the statement be referred to the Committee on Military Affairs.

There being no objection, the bill and statement were ordered to be printed in the RECORD, and the statement was referred to the Committee on Military Affairs, as follows:

S. 4370

A bill to authorize the design, construction, and procurement of one metal-clad airship of approximately 100 (long) tons gross lift and of a type suitable for transport purposes for the Army Air Corps (introduced May 6, 1930, by Senator ARTHUR H. VANDENBERG and Hon. FLORENCE P. KAHN)

*Be it enacted, etc.,* That for the purpose of further developing the art of metal-clad airship construction and increasing air-transport facilities of the Army Air Corps the President of the United States is hereby authorized to undertake the construction and procurement of one metal-clad airship, and spare parts, of approximately 100 (long) tons gross lift, and of a type suitable for transport and other purposes for the Army Air Corps, at a total cost not to exceed \$4,500,000, construction to be undertaken as soon as practicable and prior to July 1, 1932:

*Provided,* That the metal-clad airship herein authorized shall be procured under contract in the United States on such terms and subject to such restrictions as the Secretary of War may deem proper; and

*Provided further,* That the Secretary of War is hereby authorized to award such contract for said metal-clad airship to the bidder he shall find to be best qualified from the standpoint of experience in the design and construction of this type of aircraft.

To provide for the construction of this metal-clad airship there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, such sums as may be necessary, but not to exceed \$4,500,000, to be available until expended.

In order to promote the commercial use of large airships the Secretary of War is authorized, if military considerations permit, and if in his judgment the best interests of the United States are thus served, to lease said airship to private parties for commercial demonstration at any time after its completion and upon such terms and under such conditions and restrictions as he may deem to be in the best interests of the Government.

#### STATEMENT ACCOMPANYING INTRODUCTION OF ARMY AIRSHIP BILL

It is believed the bill authorizing the procurement of a 100-ton metal-clad airship for the Army will encourage a development beneficial to three vital factors in American life, namely: Mississippi flood relief, military preparedness, and foreign trade.

It will also provide an opportunity for the Congress to determine a definite lighter-than-air policy for the Army Air Corps, the necessity for which was emphasized in annual report (1929) of the Assistant Secretary of War, Mr. Davison, whose report in part follows:

"The Air Corps finds itself in the position of being charged with the air defense of the country and its possessions from land bases, including aerial seacoast defense, appreciating the strategical and tactical value of airships, realizing the possibilities of future development, but unable to do anything on account of lack of appropriations. The Army Air Corps has built up a nucleus of airship personnel over a period of years which is competent to take advantage of the technical developments of airships, which are receiving a great deal of impetus here and abroad. \* \* \* This nucleus of personnel has a real economic value to the country in the commercial development of airships \* \* \* and it should be retained and supplied with modern equip-

ment or else its great value will shortly disappear. I believe that the future of the lighter-than-air branch of the Air Corps should be definitely determined as soon as possible and that due consideration be given to the future development of the airship."

Aside from the military application of this proposed airship, its peace-time usefulness alone justifies the undertaking.

It is recognized that the successful completion and demonstration of the ZMC-2 metal-clad airship, authorized by the Sixty-ninth Congress, built by the Detroit Aircraft Corporation, and delivered to the Navy in September, 1929, justifies the further adaptation of this product of distinctly American ingenuity.

With the results of eight years of organized research and concentrated effort devoted to one particular objective at their disposal, the engineers responsible for the ZMC-2 feel fully competent to undertake the design and construction of a 100-ton, 100-mile-per-hour ship as the next unit. In recommending this size first consideration has been given to speed. After careful research it has been determined that it is thoroughly practicable to equip a 100-ton metal-clad with sufficient engine power to give a maximum speed of 100 miles per hour, which is 25 miles faster than the *Graf Zeppelin*. It is believed that practical consideration makes this speed imperative if rigid airships are to fulfill their eventual mission as military or commercial craft.

It is reported that the Engineering Division of the Army Air Corps has been engaged for several months in a careful study of the estimated performance characteristics, technical data, stress, diagrams, etc., of this dirigible and their preliminary report is now completed.

The procurement of this airship by the Army Air Corps is not in conflict with the policy laid down by the joint Army and Navy board relative to the development and use of rigid airships approved January 12, 1920, as evidenced by the following two excerpts:

"3. (e) In accordance with the proposed policy, no restriction should be placed upon the use of rigid dirigibles by either air service if, after development, it is considered that such type is required in the accomplishment of the functions of either air service.

"4. (e) That no restriction should be placed upon the use of the rigid dirigible by the Army, if, after development, it is considered that such type is required in the accomplishment of the functions of the Army Air Service."

No one will question the function of the Army to provide adequately for military preparedness. Furthermore, the Army has always been called upon to aid in flood relief in the Mississippi Valley. Foreign trade may be remote from the normal activities of the Army, but no one questions the function of the Federal Government to extend liberal encouragement to the development of different types of aircraft at least until such time as private capital undertakes their commercial adaptation.

#### MISSISSIPPI FLOOD RELIEF

By contracting for this 100-ton airship the following commendable purposes will be served:

The Army will be able to extend immediate flood relief in the Mississippi Valley. For example, it is claimed that operating from Scott Field hangar at Belleville, Ill., this 100-ton airship engaged in flood relief can transport food and medical supplies to provide for 10,000 people each day. Possessing the ability to fly at low speed—of which the airplane is incapable—this airship can diligently search out refugees in isolated sections, cast supplies overboard via parachute, and even lower Red Cross units to the ground by means of a simple winch arrangement carried on board.

The Army Engineering Corps will have available, through cooperation of the Air Corps, a type of craft which for certain missions will conveniently and economically expedite a detailed survey of the Mississippi Valley necessary for the planning of a comprehensive flood-control system which will diminish the annual recurrence of devastating floods, costing thousands of human lives and the loss of millions in property.

The enormous territory directly and indirectly affected by the Mississippi and its tributaries comprises over 200,000 square miles—almost the size of the State of Texas—and lies in 17 States, the respective adjacent areas of which are as follows:

State:	Square miles
Alabama	1,000
Arkansas	36,000
Illinois	20,000
Indiana	7,000
Iowa	6,000
Kansas	3,000
Kentucky	10,000
Louisiana	37,000
Minnesota	2,000
Mississippi	23,000
Missouri	20,000
Nebraska	3,000
Ohio	3,000
Oklahoma	10,000
Tennessee	15,000
Texas	11,000
Wisconsin	3,000
Total	210,000

It is true that topographical maps and river surveys have been made of most of the Mississippi Valley, but many of these maps, except the



mosaics recently made via airplane, are a generation old and do not provide the detail essential for the planning of a successful flood-control system.

If it were undertaken to make a complete detailed survey on the ground of these 210,000 square miles, the map would never be completed up to date, because it would take a generation to finish the survey. On the other hand, by undertaking such of this work to which a large airship having a complete photographic laboratory on board is adaptable, it could be completed within less than two years at approximately only one-tenth the cost. It would provide a map precise in detail, giving a complete bird's-eye view of the whole situation for careful study by the Congress and by Army engineers charged with this responsibility.

If applied only to flood relief and control, this dirigible would save several times its original cost, as compared with ordinary ground methods of relief and survey.

#### MILITARY PREPAREDNESS

This 100-ton airship will be useful in a military sense, as follows:

The Army Air Corps lighter-than-air plant at Scott Field, Belleville, Ill., which represents an investment of about \$4,000,000, will be put to practical use. The flying equipment at that station is, comparatively speaking, obsolete; the large airship hangar is almost empty, and operations are almost at a standstill.

The talent of the Army personnel skilled in airship construction and operation, which has been trained over a period of years at considerable expense, will find useful employment and will gain valuable tactical experience in the use of this modern auxiliary.

The Army will be provided with the means of long-distance, heavy-cargo transport which can carry a 40,000-pound military load from Scott Field, Ill., or Washington, D. C., to Panama in about 30 hours.

The Army will be provided with quick means of transporting replacement airplanes to Panama in times of national emergency. For example, it is claimed this 100-ton airship is capable of conveying 10 military pursuit planes or 10 bombing planes from southern Florida to Panama in approximately 13 hours nonstop by refueling these planes en route.

Other military uses for this airship are as follows: Reconnaissance, training of personnel, transportation of personnel and equipment, observation of artillery practice, patrol of Panama Canal, patrol of Nicaragua Canal route, quick transport of staff headquarters, submarine search, destruction of mines by direct gunfire, courier service in the Caribbean, and patrol and direction of revenue-cutter movement.

Peaceful missions, the accomplishment of which the Army is often charged with, and for which the ship is adaptable, are as follows: River, harbor, and levee survey, hydrographic survey, topographic survey, photography, reclamation survey, forest patrol and fire fighting, medical relief in isolated sections, bombing ice jams, and exploration.

#### FOREIGN TRADE

Most aeronautical engineers seem to be agreed that the airship rather than the airplane will prove to be more economical and satisfactory in long-distance, heavy-cargo air transport. It is predicted in the present generation airships will encircle the globe, supplementing present land and water transport facilities, and, by shortening the line of communications, their use will expedite trade and thus increase the volume of commerce.

If this be true, the development of the airship is of vital importance to our foreign trade, which now annually represents a volume of 100,000,000 tons and a value of almost \$10,000,000,000. Our annual shipping bill in commerce on the high seas for freight is \$750,000,000 and for passengers \$250,000,000, making a total of \$1,000,000,000. To carry this enormous volume of traffic requires 6,000 vessels having a total displacement of 23,000,000 tons and flying the flags of 28 countries. Of this volume of commerce, ships flying the American flag carry only 40 per cent in tonnage and only 34 per cent in value.

In foreign trade ready access to the source of supply has a profound influence upon a prospective customer. It is reported that a fleet of merchant airships flying between our eastern seaboard and Central and South America would shorten the line of communications to Habana, Cuba, to only 1 day; from Washington, D. C., or from California to Panama, 2 days; to Lima, Peru, 3 days; Santiago, Chile, 4 days; to Para (mouth of the Amazon), 3 days; Rio de Janeiro, 4 days; and to Buenos Aires, 5 days.

Certainly if this can be accomplished, it will have an everlasting influence upon the prosperity of our trade with those countries and upon the promotion of a friendly relationship between North and South America. Applied in a world-wide sense, the adaptation of American-designed, American-built, and American-owned airships means American supremacy in the great international trade routes.

The bill authorizes the Secretary of War (military consideration permitting) to lease this airship to provide opportunity for commercial demonstration after its completion, if in his judgment by so doing the commercial use of airships will be stimulated. This provision is in harmony with the recognized opportunity of the Government Air Service to aid in promoting the commercial use of dirigibles on the theory that this is necessary for the national defense and for the proper growth of American commerce. It is recognized that commercial airships capable of carrying substantial loads will prove valuable as naval or military auxiliaries in time of war or national emergency.

#### COST

The sum authorized for the construction of this airship is \$4,500,000, of which it is anticipated only \$150,000 is to be made available during the first fiscal year. This small sum of money, it is estimated, will be sufficient to defray the expenses involved in the necessary scientific research, wind-tunnel tests, and general design drawings, all of which are necessary and preliminary to actual construction. It is contemplated, therefore, that in awarding the contract the Secretary of War will insert a provision deferring the beginning of actual construction until this necessary research and general design have been successfully completed and the results thereof reported to the Congress as a justification of the appropriation of further funds sufficient for construction purposes.

It is anticipated that the funds appropriated for the construction of this airship will not subtract from but will be in addition to the funds needed for the fulfillment of the Army's 5-year aircraft program authorized by the Sixty-ninth Congress, and that they will not interfere with the procurement of such additional heavier-than-air craft as may be determined necessary.

#### CONCLUSION

The success of the first unit (metal-clad ZMC-2), built by the Detroit Aircraft Corporation, is a tribute to the vision of the Government and the courage and engineering ability of its builders. It is a splendid example of what may be accomplished through the joint cooperation of the Federal Government with private enterprise.

It is believed that the continuation of this cooperation will present a solution not only to certain very definite problems of rapid military transport, but will also lay the foundation for a new era in international transportation.

#### CHANGE OF REFERENCE

On motion of Mr. REED, the Committee on Military Affairs was discharged from the further consideration of the bill (H. R. 5213) for the relief of Grant R. Kelsey, alias Vincent J. Moran, and it was referred to the Committee on Naval Affairs.

#### AMENDMENT TO RIVER AND HARBOR BILL

Mr. McNARY submitted an amendment intended to be proposed by him to the bill (H. R. 11781) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, which was ordered to lie on the table and to be printed.

#### PREVENTION OF FRAUD IN PATENT PRACTICE

Mr. GLENN submitted an amendment intended to be proposed by him to the bill (H. R. 699) to prevent fraud, deception, or improper practice in connection with business before the United States Patent Office, and for other purposes, which was ordered to lie on the table and to be printed.

#### ENTRY OF CERTAIN ALIENS

Mr. BROUSSARD (by request) submitted an amendment intended to be proposed by him to the bill (S. 4126) to amend subdivision (b) of section 1 of the act of March 4, 1929, entitled "An act making it a felony with penalty for certain aliens to enter the United States of America under certain conditions in violation of law," approved March 4, 1929, which was referred to the Committee on Immigration and ordered to be printed.

#### EXECUTIVE MESSAGES

Sundry messages in writing were communicated to the Senate from the President of the United States by Mr. Latta, one of his secretaries.

#### EQUALIZATION OF CIVIL WAR PENSIONS

Mr. ROBINSON of Indiana submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 12013) to revise and equalize the rate of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows of such soldiers, sailors, and marines, and granting pensions and increase of pensions in certain cases, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

ARTHUR R. ROBINSON,  
PETER NORBECK,  
B. K. WHEELER,

*Managers on the part of the Senate.*

JOHN M. NELSON,  
RICHARD N. ELLIOTT,  
RALPH F. LOZIER,

*Managers on the part of the House.*

The report was agreed to.



# SOCKEYE SALMON FISHERIES OF THE FRASER RIVER SYSTEM

As in executive session,

Mr. BORAH. Mr. President, there is a treaty on the desk that has just been sent to the Senate. It is the same treaty that was heretofore submitted, but was withdrawn for the making of some changes. I ask that the treaty be made public.

The VICE PRESIDENT. Without objection, the injunction of secrecy is removed from the treaty.

The treaty is as follows:

## To the Senate:

To the end that I may receive the advice and consent of the Senate to ratification, I transmit herewith a convention between the United States of America and His Majesty the King of Great Britain, Ireland, and the British dominions beyond the seas, Emperor of India, in respect of the Dominion of Canada, for the protection, preservation, and extension of the sockeye salmon fisheries of the Fraser River system, signed at Washington on May 26, 1930.

This convention is in substitution of the convention for the protection, preservation, and extension of the sockeye salmon fisheries of the Fraser River system, signed by the Secretary of State and the Minister of Canada, on March 27, 1929, which I transmitted to the Senate on April 18, 1929, and which was returned to me by the Senate by resolution of December 13, 1929.

The attention of the Senate is invited to the accompanying report of the Secretary of State, setting forth the necessity for the revision of the 1929 convention and the points of difference between that convention and the one now submitted.

HERBERT HOOVER.

THE WHITE HOUSE, May 29, 1930.

## The President:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate to receive the advice and consent of that body to its ratification, if his judgment approve thereof, a convention between the United States of America and His Majesty the King of Great Britain, Ireland, and the British dominion beyond the seas, Emperor of India, in respect of the Dominion of Canada, for the protection, preservation, and extension of the sockeye salmon fisheries of the Fraser River system, signed by the Secretary of State and the Minister of Canada at Washington on May 26, 1930.

This convention is in substitution of the convention for the protection, preservation, and extension of the sockeye salmon fisheries of the Fraser River system, signed by the Secretary of State and the Minister of Canada on March 27, 1929, which was sent to the Senate by the President on April 18, 1929, and was returned by the Senate to the President by resolution of December 13, 1929.

The necessity for the revision of the 1929 convention was seen in the fact that during the summer of 1929, subsequent to its signature, fishermen, for the first time, took large quantities of sockeye salmon in the Pacific Ocean beyond territorial waters of the United States and Canada. It became apparent from the success of that fishery that the sockeye salmon fisheries in the Fraser River, Georgia Strait, Juan de Fuca Strait, and contiguous waters can not be adequately protected and developed unless the fishery on the high seas is controlled. There are included, therefore, in the waters covered by the new convention, the territorial waters off the western coasts of the United States and Canada between the forty-eighth and forty-ninth parallels of north latitude, and likewise the high seas of the Pacific Ocean adjacent to these territorial waters between the same parallels, in addition to the Fraser River and the boundary waters between the United States and Canada which were embraced in the convention signed in 1929.

The authority which the convention gives to the International Pacific Salmon Fisheries Commission to limit or prohibit fishing on the high seas and to prescribe the size of the mesh of gear that may be used on the high seas is, of course, applicable to nationals and inhabitants and vessels and boats of the United States and of Canada only, as are the provisions of the convention in regard to the arrest and detention of violators of the prohibition against fishing on the high seas covered by Article IX of the convention.

Other points of difference between the convention signed on March 27, 1929, and the present convention are that there is omitted from the latter the provision that the commissioner of fisheries of the United States shall be one of the members of the commission; that it is specifically provided by the new convention that the commissioners appointed by each of the high contracting parties shall hold office during the pleasure of

the contracting party by which they were appointed; and that instead of the limitation by dates of the period of the year within which the International Pacific Salmon Fisheries Commission might limit or prohibit fishing, which was provided in Article IV of the convention signed on March 27, 1929, the new convention contains a provision under which the commission is at liberty to limit or prohibit the fishing in the waters of the United States, Canada, and the high seas, respectively, for such periods as may be required by the particular conditions of each year. The greater flexibility in regulation thus provided, as well as the extension of authority of the commission to regulate fishing for sockeye salmon by American and Canadian fishermen and fishing vessels on the high seas, will enable the commission to so regulate the fisheries that there will be, as nearly as possible, an equal division of the catch between the fishermen of the United States and Canada.

By Article V of the convention now submitted, the commission is given authority to regulate the size of meshes in salmon fishing gear used on the high seas by American and Canadian fishermen and fishing vessels at any season of the year, in addition to the authority given to the commission in the convention of 1929 to regulate the size of meshes in fishing gear used in national waters of the two countries during the spring or chinook salmon fishing season.

Respectfully submitted.

H. L. STIMSON.

(Accompaniment: Convention for the protection, preservation, and extension of the sockeye salmon fisheries; signed, May 26, 1930.)

DEPARTMENT OF STATE,

Washington, May 29, 1930.

The President of the United States of America and His Majesty the King of Great Britain, Ireland and the British dominions beyond the Seas, Emperor of India, in respect of the Dominion of Canada, recognizing that the protection, preservation and extension of the sockeye salmon fisheries in the Fraser River system are of common concern to the United States of America and the Dominion of Canada; that the supply of this fish in recent years has been greatly depleted and that it is of importance in the mutual interest of both countries that this source of wealth should be restored and maintained, have resolved to conclude a Convention and to that end have named as their respective plenipotentiaries:

The President of the United States of America: Mr. Henry L. Stimson, Secretary of State of the United States of America; and

His Majesty, for the Dominion of Canada: The Honorable Vincent Massey, a member of His Majesty's Privy Council for Canada and His Envoy Extraordinary and Minister Plenipotentiary for Canada at Washington;

Who, after having communicated to each other their full powers, found in good and due form, have agreed upon the following Articles:

## ARTICLE I

The provisions of this Convention and the orders and regulations issued under the authority thereof shall apply, in the manner and to the extent hereinafter provided in this Convention, to the following waters:

1. The territorial waters and the high seas westward from the western coast of the United States of America and the Dominion of Canada and from a direct line drawn from Bonilla Point, Vancouver Island, to the lighthouse on Tatoosh Island, Washington,—which line marks the entrance to Juan de Fuca Strait,—and embraced between 48 and 49 degrees north latitude, excepting therefrom, however, all the waters of Barklay Sound, eastward of a straight line drawn from Amphitrite Point to Cape Beale and all the waters of Nitinat Lake and the entrance thereto.

2. The waters included within the following boundaries:

Beginning at Bonilla Point, Vancouver Island, thence along the aforesaid direct line drawn from Bonilla Point to Tatoosh Lighthouse, Washington, described in paragraph numbered 1 of this Article, thence to the nearest point of Cape Flattery, thence following the southerly shore of Juan de Fuca Strait to Point Wilson, on Quimper Peninsula, thence in a straight line to Point Partridge on Whidbey Island, thence following the western shore of the said Whidbey Island, to the entrance to Deception Pass, thence across said entrance to the southern side of Reservation Bay, on Fidalgo Island, thence following the western and northern shore line of the said Fidalgo Island to Swinomish Slough, crossing the said Swinomish Slough, in line with the track of the Great Northern Railway, thence northerly following the shore line of the mainland to Atkinson Point at the northerly entrance to Burrard Inlet, British Columbia,



thence in a straight line to the southern end of Bowen Island, thence westerly following the southern shore of Bowen Island to Cape Roger Curtis, thence in a straight line to Gower Point, thence westerly following the shore line to Welcome Point on Seechelt Peninsula, thence in a straight line to Point Young on Lasqueti Island, thence in a straight line to Dorcas Point on Vancouver Island, thence following the eastern and southern shores of the said Vancouver Island to the starting point at Bonilla Point, as shown on the United States Coast and Geodetic Survey Chart Number 6300, as corrected to March 14, 1930, and on the British Admiralty Chart Number 579, copies of which are annexed to this Convention and made a part thereof.

3. The Fraser River and the streams and lakes tributary thereto.

The High Contracting Parties engage to have prepared as soon as practicable charts of the waters described in this Article, with the above described boundaries thereof and the international boundary indicated thereon. Such charts, when approved by the appropriate authorities of the Governments of the United States of America and the Dominion of Canada, shall be considered to have been substituted for the charts annexed to this Convention and shall be authentic for the purposes of the Convention.

The High Contracting Parties further agree to establish within the territory of the United States of America and the territory of the Dominion of Canada such buoys and marks for the purposes of this Convention as may be recommended by the Commission hereinafter authorized to be established, and to refer such recommendations as the Commission may make as relate to the establishment of buoys or marks at points on the international boundary to the International Boundary Commission, United States-Alaska and Canada, for action pursuant to the provisions of the Treaty between the United States of America and His Majesty, in respect of Canada, respecting the boundary between the United States of America and the Dominion of Canada, signed February 24, 1925.

#### ARTICLE II

The High Contracting Parties agree to establish and maintain a Commission to be known as the International Pacific Salmon Fisheries Commission, hereinafter called the Commission, consisting of six members, three on the part of the United States of America and three on the part of the Dominion of Canada.

The Commissioners on the part of the United States of America shall be appointed by the President of the United States of America. The Commissioners on the part of the Dominion of Canada shall be appointed by His Majesty on the recommendation of the Governor General in Council.

The Commissioners appointed by each of the High Contracting Parties shall hold office during the pleasure of the High Contracting Party by which they were appointed.

The Commission shall continue in existence so long as this Convention shall continue in force, and each High Contracting Party shall have power to fill and shall fill from time to time vacancies which may occur in its representation on the Commission in the same manner as the original appointments are made. Each High Contracting Party shall pay the salaries and expenses of its own Commissioners, and joint expenses incurred by the Commission shall be paid by the two High Contracting Parties in equal moieties.

#### ARTICLE III

The Commission shall make a thorough investigation into the natural history of the Fraser River sockeye salmon, into hatchery methods, spawning ground conditions and other related matters. It shall conduct the sockeye salmon fish cultural operations in the water described in paragraphs numbered 2 and 3 of Article I of this Convention, and to that end it shall have power to improve spawning grounds, construct and maintain hatcheries, rearing ponds and other such facilities as it may determine to be necessary for the propagation of sockeye salmon in any of the waters covered by this Convention, and to stock any such waters with sockeye salmon by such methods as it may determine to be most advisable. The Commission shall also have authority to recommend to the Governments of the High Contracting Parties removing or otherwise overcoming obstructions to the ascent of sockeye salmon, that may now exist or may from time to time occur, in any of the waters covered by this Convention, where investigation may show such removal of or other action to overcome obstructions to be desirable. The Commission shall make an annual report to the two Governments as to the investigation which it has made and other action which it has taken in execution of the provisions of this Article, or of other Articles of this Convention.

The cost of all work done pursuant to the provisions of this Article, or of other Articles of this Convention, including removing or otherwise overcoming obstructions that may be approved, shall be borne equally by the two Governments, and the said Governments agree to appropriate annually such money as each may deem desirable for such work in the light of the reports of the Commission.

#### ARTICLE IV

The Commission is hereby empowered to limit or prohibit taking sockeye salmon in respect of all or any of the waters described in Article I of this Convention, provided that when any order is adopted by the Commission limiting or prohibiting taking sockeye salmon in any of the territorial waters or on the High Seas described in paragraph numbered 1 of Article I, such order shall extend to all such territorial waters and High Seas, and, similarly, when in any of the waters of the United States of America embraced in paragraph numbered 2 of Article I, such order shall extend to all such waters of the United States of America, and when in any of the Canadian waters embraced in paragraphs numbered 2 and 3 of Article I, such order shall extend to all such Canadian waters, and provided further, that no order limiting or prohibiting taking sockeye salmon adopted by the Commission shall be construed to suspend or otherwise affect the requirements of the laws of the State of Washington or of the Dominion of Canada as to the procuring of a license to fish in the waters on their respective sides of the boundary, or in their respective territorial waters embraced in paragraph numbered 1 of Article I of this Convention, and provided further that any order adopted by the Commission limiting or prohibiting taking sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention shall apply only to nationals and inhabitants and vessels and boats of the United States of America and the Dominion of Canada.

Any order adopted by the Commission limiting or prohibiting taking sockeye salmon in the waters covered by this Convention, or any part thereof, shall remain in full force and effect unless and until the same be modified or set aside by the Commission. Taking sockeye salmon in said waters in violation of an order of the Commission shall be prohibited.

#### ARTICLE V

In order to secure a proper escapement of sockeye salmon during the spring or chinook salmon fishing season, the Commission may prescribe the size of the meshes in all fishing gear and appliances that may be operated during said season in the waters of the United States of America and/or the Canadian waters described in Article I of this Convention. At all seasons of the year the Commission may prescribe the size of the meshes in all salmon fishing gear and appliances that may be operated on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, provided, however, that in so far as concerns the High Seas, requirements prescribed by the Commission under the authority of this paragraph shall apply only to nationals and inhabitants and vessels and boats of the United States of America and the Dominion of Canada.

Whenever, at any other time than the spring or chinook salmon fishing season, the taking of sockeye salmon in waters of the United States of America or in Canadian waters is not prohibited under an order adopted by the Commission, any fishing gear or appliance authorized by the State of Washington may be used in waters of the United States of America by any person thereunto authorized by the State of Washington, and any fishing gear or appliance authorized by the laws of the Dominion of Canada may be used in Canadian waters by any person thereunto duly authorized. Whenever the taking of sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention is not prohibited, under an order adopted by the Commission, to the nationals or inhabitants or vessels or boats of the United States of America or the Dominion of Canada, only such salmon fishing gear and appliances as may have been approved by the Commission may be used on such High Seas by said nationals, inhabitants, vessels or boats.

#### ARTICLE VI

No action taken by the Commission under the authority of this Convention shall be effective unless it is affirmatively voted for by at least two of the Commissioners of each High Contracting Party.

#### ARTICLE VII

Inasmuch as the purpose of this Convention is to establish for the High Contracting Parties, by their joint effort and expense, a fishery that is now largely nonexistent, it is agreed by the High Contracting Parties that they should share equally in the fishery. The Commission shall, consequently, regulate the fishery with a view to allowing, as nearly as may be prac-



licable, an equal portion of the fish that may be caught each year to be taken by the fishermen of each High Contracting Party.

## ARTICLE VIII

Each High Contracting Party shall be responsible for the enforcement of the orders and regulations adopted by the Commission under the authority of this Convention, in the portion of its waters covered by the Convention.

Except as hereinafter provided in Article IX of this Convention, each High Contracting Party shall be responsible, in respect of its own nationals and inhabitants and vessels and boats, for the enforcement of the orders and regulations adopted by the Commission, under the authority of this Convention, on the High Seas embraced in paragraph numbered 1 of Article I of the Convention.

Each High Contracting Party shall acquire and place at the disposition of the Commission any land within its territory required for the construction and maintenance of hatcheries, rearing ponds, and other such facilities as set forth in Article III.

## ARTICLE IX

Every national or inhabitant, vessel or boat of the United States of America or of the Dominion of Canada, that engages in sockeye salmon fishing on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, in violation of an order or regulation adopted by the Commission, under the authority of this Convention, may be seized and detained by the duly authorized officers of either High Contracting Party, and when so seized and detained shall be delivered by the said officers, as soon as practicable, to an authorized official of the country to which such person, vessel or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be agreed upon with the competent authorities. The authorities of the country to which a person, vessel or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of any order or regulation, adopted by the Commission in respect of fishing for sockeye salmon on the High Seas embraced in paragraph numbered 1 of Article I of this Convention, or of any law or regulation which either High Contracting Party may have made to carry such order or regulation of the Commission into effect, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other High Contracting Party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

## ARTICLE X

The High Contracting Parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this Convention and the orders and regulations adopted by the Commission under the authority thereof, with appropriate penalties for violations.

## ARTICLE XI

The present Convention shall be ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by His Majesty in accordance with constitutional practice, and it shall become effective upon the date of the exchange of ratifications which shall take place at Washington as soon as possible and shall continue in force for a period of sixteen years, and thereafter until one year from the day on which either of the High Contracting Parties shall give notice to the other of its desire to terminate it.

In witness whereof, the respective plenipotentiaries have signed the present Convention, and have affixed their seals thereto.

Done in duplicate at Washington on the twenty-sixth day of May, one thousand nine hundred and thirty.

[SEAL]

HENRY L. STIMSON

[SEAL]

VINCENT MASSEY

ADDRESS BY WILLIAM HARD ON NAVAL REDUCTION TREATY

Mr. DILL. Mr. President, on May 21 Mr. William Hard delivered over the National Broadcasting network an address on the London treaty. I ask unanimous consent to have it printed in the CONGRESSIONAL RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

Ladies and gentlemen, the new naval treaty continues to provide Washington with its chief preoccupation and—from the largest and longest point of view—its chief problem. You have heard much about it; perhaps, you may think, too much. Yet you will, of course, realize that the controversy about it has only now arrived at what could be called its final finished flowering and its conversational climax.

That climax is in one of the five categories of vessels fixed by the treaty. It is in cruisers. More specifically, it is in the turrets and

batteries of cruisers. It is in the armaments which certain cruisers are to be permitted to carry. It is in the difference between a cannon of one diameter and a cannon of another diameter. The first of these contending diameters is 8 inches. The second is 6 inches. The opponents of the treaty are passionately devoted to 8 inches. The friends of the treaty are full of confidence in 6 inches. Each diameter has its partisans. It has them in the Navy. It has them in the Senate. It has them throughout the country. Indeed, at this moment, ladies and gentlemen, I might almost say what the chief conversational duty of every wide-awake citizen is to be able to give an intelligent answer to the burning patriotic question:

"Are you a 6-inch-gun man or an 8-inch-gun man?"

I accordingly feel it to be my duty, as a weekly informant of yours regarding Washington affairs, to try to provide you, as well as I may, with the best available Washingtonian resources for answering that question brilliantly, and for ultimately solving it wisely.

In the first place, though, I want to tell you frankly that I see no sound reason for ascribing the attacks upon the treaty to any mere malice against the President. I hope that you, all of you, are always fully on your guard against people who try to distract you from the merits of the arguments of a public man by telling you that he is arguing out of hatred for somebody else. That is an old, stale, cheap, unworthy trick.

Let me reminisce to you for a moment. It used to be said by some people regarding the late eminent Senator from Massachusetts, Henry Cabot Lodge, that he criticized the League of Nations because he hated President Woodrow Wilson. I, however, not being in politics and not being hindered by factional considerations, could remember back to the days when our President was Theodore Roosevelt. Roosevelt went in for some adventurous internationalism in the form of a general arbitration treaty with Great Britain. Mr. Lodge, in the Senate, attacked it, changed it, wrecked it. Why? Because he hated Roosevelt? On the contrary, he was one of Roosevelt's most intimate friends. He loved Roosevelt. He wrecked Roosevelt's treaty, precisely as he criticized and impeded Woodrow Wilson's League of Nations, just simply, naturally because, at the last pinch, he always recoiled from what he thought to be excessive international commitments. Irrespective of who was President, Lodge was always Lodge.

To-day in the Senate in its Foreign Relations Committee the Senator whose questionings are bringing out most of the adverse comment upon the treaty from Admiral Jones, from Admiral Bristol, from Admiral Chase, from others, is Senator HIRAM JOHNSON, of California. I would not go so far as to say that Senator JOHNSON loves President Hoover. On the other hand, though, I would not go so far as to say either, that President Hoover loves Senator JOHNSON. I am sure, just the same, that President Hoover did not negotiate this naval treaty in order to hurry and fluster Senator JOHNSON. Similarly, I think it wholly contrary to fact to imagine that Senator JOHNSON has suddenly become intensely inquisitive about adequate national defense in order to irritate and annoy President Hoover.

Senator JOHNSON has been continuously intensely inquisitive about adequate national defense. He has been continuously—like Senator Lodge—only much more so—suspicious and wary of drastic commitments abroad. He was one of 14 Republican Senators who opposed the commitments of the League of Nations covenant, with or without reservations, under a Democratic President. He then, from among those 14 Republican Senators, was one of the four who went on consistently to oppose the commitments of the 4-power treaty between the United States and Japan and Britain and France in 1922 under a Republican President. He was one of the handful of 18 Senators recorded on January 27, 1926, on roll call, against American entrance into the Permanent Court of International Justice. He has repeatedly raised the standard of American political independence and, logically, of American naval invulnerability, even when in raising it he faced unpopularity and calumny and frustration and even when in raising it he instantly went down with it under a whelming tide of internationalistic or pacifist triumph. HIRAM JOHNSON has not chosen the way of flowers, he has chosen the way of thorns; and, if ever a man, by past record, has demonstrated his right now to ask a few questions to assure himself of American national safety preserved and intact, it is the senior Senator from California.

Let us now proceed then to state the cruiser gun controversy in its most succinct terms. Let us proceed to get down to the bare bone of the fight between the antitreaty 8-inch gunners and the protreaty 6-inch gunners.

The first characteristic of it that must strike the neutral observer is its relative tinniness in physical bulk. The treaty envisages five categories of vessels with tonnages for us as follows:

Battleships, 456,200 tons; aircraft carriers, 135,000 tons; cruisers, 323,500 tons; destroyers, 150,000 tons; submarines, 52,700 tons.

The total tonnage thus involved is 1,117,400. Cruisers, you will have noticed, constitute only 323,500 tons of it, approximately 28 per cent.

But we already have certain cruisers about which nobody is quarreling or protesting. They are our so-called *Omahas*. There are 10



of them. They are of 7,050 tons apiece. They were put into the water in 1923, 1924, and 1925. They are armed with 6-inch guns.

They were so armed with the full consent and approval of the Navy Department. This may surprise some of you. You may have thought that our 8-inch-gun admirals who have been testifying so strongly and so earnestly—and so conscientiously—against the treaty would not be found dead with a 6-inch gun. That would be a misapprehension. Everybody admits that the 6-inch-gun cruiser has its value. Everybody admits that in certain circumstances, in certain contingencies of combat the 6-inch-gun cruiser is actually preferable to the 8-inch-gun cruiser. Admiral Jones himself, our most determined advocate of the 8-inch-gun cruiser, said the other day in testimony before the Senate Foreign Relations Committee that the 6-inch-gun cruiser is, as he phrased it, "the better unit under the guns of the battleships."

That is the accepted professional view. It has been detailed to Senators most explicitly by Admiral Pratt, who favors the treaty. It has been detailed to the general public in a reasoned and intelligible manner principally recently by one of our Navy's most distinguished and authoritative analysts and expounders of the basic elements of naval warfare, Commander H. H. Frost.

I must quote Commander Frost to you. He has treated the subject more comprehensively than any of the admirals who have testified on Capitol Hill. He divides the work of cruisers into three parts. There is, first, the work of attacking and defending merchant ships. There is, second, the work of scouting for information regarding the enemy's fleet. There is, third, the work of fleet battle. Commander Frost, after an elaborate consideration of all three sorts of work, concludes as follows:

"In trade warfare the 8-inch-gun cruiser has a decided advantage. In scouting operations a given tonnage of 8-inch-gun cruisers is slightly more effective than an equal tonnage of 6-inch-gun cruisers. In battle the 6-inch-gun cruiser is more effective."

Commander Frost further flatly states: "The 8-inch-gun cruiser is not designed for use in battle."

Conversely, the 6-inch-gun cruiser is. It can maneuver faster. It can dodge torpedoes and also dodge the salvos of the guns of battleships faster. It can fire much faster.

It follows that the ten 6-inch-gun cruisers which we already have are not being consigned by anybody just now to the junk heap. Everybody agrees with everybody else that they have a certain battle value and that they are to be retained. Their total tonnage is 70,500.

We must therefore deduct that agreed and noncontroversial tonnage from our total allotted cruiser tonnage in order to begin to arrive at the actual location and at the actual size of the present cruiser dispute. The total cruiser tonnage, as I have already told you, is 323,500. The agreed accepted existing 6-inch-gun cruiser tonnage is 70,500. Subtracting the latter figure from the former, we get 253,000. That is the tonnage which we might, in theory, put either wholly into 6-inch-gun cruisers or wholly into 8-inch-gun cruisers.

But we then come to a further deduction or subtraction. The General Board of our Navy, through most of its members, now seems often to think that we ought not to build any more 6-inch-gun cruisers at all. The historical fact nevertheless is that in September of last year the General Board consented to advise the President, and did advise him, in the course of achieving an agreed treaty parity with Great Britain, to build new 6-inch-gun cruisers to the extent of a total of 35,000 tons.

Great Britain at that time had agreed to the cruiser allotment which in the present proposed treaty she gets. Against it and over and beyond our existing 10 *Omaha* 6-inch-gun cruisers the General Board of our Navy last September recommended to the President that we should have cruisers as follows:

Of 8-inch-gun cruisers, 210,000 tons. Of new additional 6-inch-gun cruisers, 35,000 tons. Total, 245,000 tons.

Now note! Secretary of State Stimson went to London and came back with what? With this:

Of 8-inch-gun cruisers, instead of 210,000 tons, 180,000 tons; of new additional 6-inch-gun cruisers, instead of 35,000 tons, 73,000 tons. Total, instead of 245,000 tons, 253,000 tons.

That is the total—253,000 tons—which I said a moment ago we might in theory have put wholly into 8-inch-gun cruisers in order to satisfy our 8-inch-gun admirals. They themselves, however, last September recommended putting 35,000 tons of it into 6-inch-gun cruisers. Deduct that 35,000; the contentious cruiser tonnage which might be put wholly into 8-inch-gun cruisers then comes down to 218,000.

But Secretary Stimson at London did put 180,000 tons of that 218,000 tons actually into the desired 8-inch-gun cruisers. Therefore, subtract 180,000 from 218,000, you get 38,000. That is the ultimate net tonnage that this dispute is about. It is approximately  $3\frac{1}{2}$  per cent of the total tonnage involved in the provisions of the treaty.

With regard to that 38,000 tons the contestants line up as follows:

Secretary Stimson, supported by Admiral Pratt and various other high naval officers, proposes through the treaty to put the whole of it into 6-inch-gun cruisers. The General Board in its recommendation of last September to President Hoover would have put 30,000 tons of it into 8-inch-gun cruisers and would have forfeited the remaining 8,000 tons altogether.

In other words, Secretary Stimson got us 8,000 tons of total cruiser tonnage more than the General Board last September demanded; and when all the wool is washed and shrunk the final suits of naval clothes offered competitively in the present controversy to the American Republic are:

On the one hand, 30,000 tons of 8-inch-gun cruisers; and on the other hand, 38,000 tons of 6-inch-gun cruisers.

The 30,000 tons of 8-inch-gun cruisers would be put into three cruisers mounting a total presumably of twenty-seven 8-inch guns. The 38,000 tons of 6-inch-gun cruisers could be put into four or five cruisers mounting a total presumably of anywhere from forty-eight to sixty 6-inch guns.

Would you rather have from forty-eight to sixty 6-inch guns, or would you rather have twenty-seven 8-inch guns?

And, is the difference big enough, is it vital enough, to justify the rejection of the treaty?

Honest and competent men say "Yes." Honest and competent men say "No." The bulk of our technical naval opinion seems gravely to doubt that forty-eight to sixty 6-inch guns can be considered in the circumstances as a satisfactory substitute or equivalent for twenty-seven 8-inch guns. People, political or naval, who favor the treaty hold, on the other hand, that the difference in value between the two sets of guns is in the circumstances itself trifling, and that in comparison with the total value of the total treaty it is wholly negligible.

And there the quarrel stands.

You can now continue it in your own households; and I wish you, ladies and gentlemen, a pleasant evening and a combative good night.

#### SPANISH WAR PENSIONS—VETO MESSAGE

Mr. McNARY. Mr. President, I am advised by the Secretary that there is a congested Executive Calendar. At the first opportunity during the afternoon I am going to move that the Senate proceed to the consideration of executive business. I understand that the Senator from Texas [Mr. CONNALLY] desires recognition, and I do not want to interfere with any proposal he has to make.

Mr. CONNALLY. Mr. President—

The VICE PRESIDENT. Does the Senator from Oregon yield to the Senator from Texas?

Mr. McNARY. For what purpose?

Mr. CONNALLY. It is my desire to get recognition for the purpose of calling up the veto message on Senate bill 476 and asking for a vote, on the ground that it is a privileged matter.

The VICE PRESIDENT. The Senator from Oregon has the floor. Does he yield for that purpose?

Mr. McNARY. Mr. President, if we could come to some agreement as to a time for voting it would not be necessary to defer our executive session. Would the Senator be willing to agree upon some time Monday?

Mr. CONNALLY. I will say to the Senator that I will agree to have a vote at 4 p. m. to-day.

Mr. McNARY. No, Mr. President; I think I might well state the situation as I find it, and the situation in which I find myself.

Yesterday and early this morning a number of Senators left the city. I assured them, being more or less in charge of the legislative program on the floor of the Senate in the absence of our distinguished leader, that no action or vote would be taken upon any measure except the pending unfinished business, which is the White bill, and Senate bill 1133, the so-called canners' bill, which is next on the program.

Of course, I did not anticipate at that time, nor did anyone else, that the President would take action on the Spanish-American War bill ending in a veto. I feel that if a vote were had at this time some would be disappointed, and I should feel that my advice had not been sound. It would be extremely unfair to a number of Senators, who would like either to participate in the debate or to vote, to take a vote to-day.

I know the Senator from Texas will not persist in a course which would be unfair to any single Member or group of Members of the body. I should feel personally that it would be very, very unfair to a number of Senators if we should be forced to take a vote to-day. If we could set a date certain, I am sure we could come to an agreement, and then we could go along and finish up the Executive Calendar, finish the naval bill this afternoon, and adjourn over appropriately until Monday.

I appeal to the Senator to agree with me upon some date in the first part of the week when we may vote upon the measure which is the subject of the pending veto message.

Mr. CONNALLY. Mr. President, will the Senator yield?

Mr. McNARY. I yield.

Mr. CONNALLY. The junior Senator from Texas has no disposition to force a vote to the harm of those who may be absent. Mr. McNARY. I am sure of that.

Mr. CONNALLY. At the same time the Senator from Texas does not fail to recognize that certain influences and certain

parties are interested in delaying action on this measure until the last possible moment, not so much for the purpose of voting on it as for the purpose of killing the bill by certain maneuvers of reintroducing the measure in the House with certain features eliminated, rushing that bill through the House, and then bringing it over to the Senate and trying to induce Senators to vote for the passage of a bill that will not meet with presidential objection, and to vote against the present bill. The Senator from Texas, so far as he is able, does not propose to have the interests of the veterans of the Spanish-American War sacrificed to accommodate the political interests of a few gentlemen who may be out playing golf.

Mr. McNARY. Right at that point let me say that I share with the Senator his respect and admiration for the service of the veterans. I know of no maneuver in the House. I do not know of any here. It is my candid opinion that there will not be a change of one vote if the vote is had on Saturday or on Monday.

Mr. CONNALLY. I will say to the Senator that, so far as I am concerned, I am willing to agree that we shall vote on Monday at 1 o'clock.

Mr. BARKLEY. Mr. President, before that agreement is entered into, may I inquire of the Senator from Oregon or the Senator from Indiana, or somebody else who may know, whether it is the purpose to bring back the conference report on the tariff bill on Monday?

Mr. McNARY. It is the understanding that the report will be filed on Monday and called up for the consideration of the Senate on Tuesday. In any event, this is a privileged motion and can come up at any time we may agree upon.

Mr. BARKLEY. I understand; but it might have some effect on the situation with reference to other Members if they know whether the tariff bill is going to be taken up on Monday or on Tuesday.

Mr. SIMMONS. Mr. President, I think it was the intention of the chairman of the committee to take up the tariff bill on Monday; but I think, if the Senate desires, that he will make no objection to substituting the Spanish-American War veterans' bill.

Mr. McNARY. If we should come to a unanimous-consent agreement, that would end the matter, irrespective of the attitude or the pleasure of the chairman of the committee.

Mr. SIMMONS. I hope the Senator from Oregon will ask for unanimous consent to take up the veterans' bill on Monday and vote on Monday; but I think probably it would be better to fix the hour of voting at some time later than that indicated by the Senator from Texas. I think there will be some debate about it.

Mr. McNARY. Mr. President, in addition to the question of debate, some of the Members will not return until early in the afternoon. I was going to suggest to the Senator, therefore, that we might come to a happy agreement if we should vote at 4 o'clock on Monday. That would give time for debate.

Mr. SIMMONS. I think that would be very much better.

Mr. CONNALLY. I will say to the Senator from Oregon that I am willing to concede 2 o'clock on Monday, but I will not go farther than 2 o'clock. This is a privileged matter. It is an important matter. It ought to be acted upon; but, to accommodate Senators, I am willing to agree to 2 o'clock on Monday.

Mr. McNARY. I should be willing personally to agree to that; but after an adjournment there will be very little time for debate, and there are certain Members who, I am afraid, will not be here. I am willing, therefore, to compose our differences, and make it 3 o'clock.

Mr. BRATTON. Mr. President, I appeal to the Senator from Texas to accept the compromise so generously proposed, and let us agree upon 3 o'clock on Monday afternoon.

Mr. McNARY. I thank the Senator.

The VICE PRESIDENT. Is there objection?

Mr. BORAH. Mr. President, is this the veterans' bill?

Mr. McNARY. Yes.

Mr. BORAH. What time will there be for discussion prior to 3 o'clock? Are there not other matters before the Senate?

Mr. McNARY. Then I will move to recess, so that the bill may come up promptly at 12 o'clock, leaving three hours for debate.

Mr. SIMMONS. The unanimous-consent agreement will include an understanding that the bill is to be laid before the Senate when it convenes on Monday?

Mr. McNARY. At 12 o'clock; yes.

Mr. SIMMONS. And the Senate will continue its consideration until the final vote?

Mr. McNARY. That is it.

The VICE PRESIDENT. The Chair will state that to do that the present unanimous-consent order would have to be changed, which can be done by unanimous consent. The unanimous-consent order now is that when the business of the Senate is completed to-day, it will adjourn to meet on Monday at 12 o'clock. It could be changed so as to have the Senate, when it completes its business to-day, recess until 12 o'clock on Monday.

Mr. McNARY. I ask unanimous consent that when the Senate concludes its session to-day, it recess until 12 o'clock Monday, and that at that time the veto message of the President be laid before the Senate, that debate ensue, and that a vote be taken at not later than 3 o'clock.

Mr. SIMMONS. Mr. President, I suggest that the Senator make it 3 o'clock, so that we will all know when the vote is to be taken.

Mr. McNARY. I stated 3 o'clock.

Mr. SIMMONS. The Senator said "not later than 3."

Mr. McNARY. I will make it "at 3 o'clock."

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The order was reduced to writing, as follows:

*Ordered, by unanimous consent.* That the order providing for an adjournment to-day to Monday next be rescinded, that at the conclusion of its business to-day, the Senate take a recess until 12 o'clock m. on Monday next, at which hour it shall proceed to reconsider the bill (S. 476) relating to Spanish War pensions, and at 3 o'clock p. m. on said day vote on the question of its passage over the President's veto.

#### NAVAL APPROPRIATIONS

Mr. PHIPPS. Mr. President, at the close of morning business yesterday we were about ready to vote on the naval appropriations bill. I am desirous of having it passed and sent over to the House so that there may be action on it to-day. I know of no further amendments to be proposed.

The Senate resumed the consideration of the bill (H. R. 12236) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1931, and for other purposes.

Mr. SWANSON. I understand the Senator from Alabama [Mr. BLACK] has withdrawn his amendment.

The VICE PRESIDENT. The bill is open to amendment. If there be no further amendment, the question is on engrossing the amendments and reading the bill a third time.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

#### EXECUTIVE SESSION

Mr. McNARY. I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

#### REPORTS OF COMMITTEES

The VICE PRESIDENT. The Chair refers to the appropriate committees sundry messages from the President. Reports of committees are in order.

Mr. PHIPPS. I report favorably from the Committee on Post Offices and Post Roads certain nominations for the calendar.

The VICE PRESIDENT. If there be no further reports of committees, the calendar is in order.

#### THE JUDICIARY

The Chief Clerk read the nomination of Richard S. Whaley to be judge, Court of Claims.

Mr. McNARY. Mr. President, personally I have no objection to this nomination, but I am advised by the Senator from Indiana that the Senator from South Carolina [Mr. BLEASE] desires to be present to make a statement at the time of the consideration of this nomination, and therefore it should go over for the day.

The VICE PRESIDENT. The nomination will be passed over.

#### POSTMASTERS

The Chief Clerk proceeded to read the nominations of sundry postmasters.

Mr. PHIPPS. I ask that the postmasters be confirmed en bloc.

The VICE PRESIDENT. Without objection, the nominations are confirmed, and the President will be notified.



## IN THE NAVY

The Chief Clerk proceeded to read sundry nominations for appointments in the Navy.

Mr. HALE. I ask that the nominations be confirmed en bloc, and the President notified.

The VICE PRESIDENT. The nominations are confirmed, and the President will be notified.

## IN THE MARINE CORPS

Mr. HALE. Mr. President, from the Committee on Naval Affairs I report favorably the nominations of James M. Daly, Charles H. Hayes, and Harold K. Feiock to be second lieutenants in the Marine Corps. These are three midshipmen who will graduate this spring and who have been assigned to the Marine Corps. I ask unanimous consent for the immediate consideration of the nominations.

The VICE PRESIDENT. Without objection, the nominations are confirmed, and the President will be notified.

The Chief Clerk read the nomination of Nicholas J. Pusel to be second lieutenant in the Marine Corps.

The VICE PRESIDENT. Without objection, the nomination is confirmed, and the President will be notified.

The Senate resumed legislative session.

## STATE REFERENDUM ON PROHIBITION

Mr. SHEPPARD. Mr. President, the Washington Herald this morning, unintentionally, I am sure, erroneously stated my position in the matter of a State referendum on prohibition. It does not give in its entirety the statement I gave out in response to an inquiry from a newspaper that asked me how I stood in the matter of a referendum on prohibition, and I desire to have inserted in the Record the entire statement I made. The headlines in the article dealing with this question were as follows: "Two Drys Join Jones to Seek Dry Law Vote; Senators SHEPPARD, of Texas, and WALSH, of Montana, Are in Favor of Referendum." It will be seen from my statement that these headlines are in error. It will be seen from my statement that I do not favor a referendum in my State on prohibition.

The article asserts that my statement involves a change of front and a concession. This is not the case. The statement involves no modification whatever of my position on prohibition and no concession. I have never taken a position contrary to that embodied in the statement I made and which I now ask permission to set out in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

If my State by a legally authorized referendum should indicate a position on any question over which Congress had jurisdiction I would abide by the result in voting in Congress until that position had been reversed. If I did not personally believe in the position thus taken by my State, I would immediately begin an effort in my State to reverse it.

I believe that my own State is overwhelmingly for prohibition and that a referendum on prohibition therein would be a source of useless expense and strife. Therefore, I do not favor such a referendum.

Mr. SHEPPARD. The article in the Herald gave only the first sentence in the above statement, and in leaving out the remainder did not fully state my position.

## CONSTRUCTION OF BRIDGES

Mr. JOHNSON submitted the following report:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9806) to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, and 26, and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 24, and concur therein with an amendment as follows: In lieu of the matter proposed to be stricken out by said Senate amendment numbered 24 restore all of section 4 of the House bill and insert the word "South" after the word "near" and before the word "Omaha," on page 17, line 24; and in lieu of the matter to be inserted by said Senate amendment numbered 24 restore the said matter as a new section, with the following language on page 6, beginning in

line 7 of the Senate engrossed amendment stricken out: "at or near South Omaha, Nebr., and also a bridge"; and the Senate agree to the same.

That on page 15, line 1 of the bill, the word "his" be stricken out and the word "its" inserted in lieu thereof.

R. B. HOWELL,  
JOS. E. RANDELL,  
MORRIS SHEPPARD,  
A. H. VANDENBERG,  
HIRAM W. JOHNSON,

*Managers on the part of the Senate.*

E. E. DENISON,  
TILMAN B. PARKS,

*Managers on the part of the House.*

The report was agreed to.

## VIEWS OF CAPT. DUDLEY KNOX ON NAVAL REDUCTION TREATY

Mr. JOHNSON. Mr. President, I ask for the insertion in the Record of an article by Capt. Dudley Knox upon the London treaty, and that it lie upon the table.

I make this request because Capt. Dudley Knox is an officer of highest repute in the United States Navy, an author and historian, and with a knowledge of the Navy, its past and present, its historical purpose and design, together with its every technical aspect, second to none.

There being no objection, the article was ordered to lie on the table and to be printed in the Record, as follows:

## VIEWS OF CAPT. DUDLEY KNOX, UNITED STATES NAVY

These remarks are not necessarily predicated upon war with any country, inasmuch as sufficient armament is as valuable in the preservation of peace as it is in the winning of peace. Neither is this a plea for or against the ratification of the London treaty. My province is solely to analyze technical aspects of the treaty as they relate to the limitation of armaments, in which I firmly believe.

In 1922 the United States signed the first naval limitation agreement, of which President Coolidge said in 1928:

"It no doubt has some significance that foreign governments made agreements limiting that class of combat vessels in which we were superior but refused limitation in the class in which they were superior. We made altogether the heaviest sacrifice in scrapping work which was already in existence."

Evidently we had made a magnanimous gesture toward promoting moderation in armaments through the force of example. Supplementing this example was a clause in the preamble to the treaty declaring that one of its two cardinal objects was "to reduce the burdens of competition in armaments."

During the succeeding eight years the United States scrupulously adhered to the spirit of the treaty by laying down only 11 ships in the categories which had no limitation upon them. What was the outcome of this still further effort to influence other nations through our example? During the same interval when we laid down 11 ships the other four parties to the treaty together laid down a total of 336 ships, or an average of 84 apiece.

The other countries thus failed to follow our example in so scrupulously keeping within the spirit of the treaty. It was a direct consequence of our great restraint in building between 1922 and 1930 that we came to the London conference with a very low ratio of cruiser strength to serve as a status quo basis for diplomatic negotiations. Instead of our past sacrifice and restraint operating in our favor at London they appear to have been used against us. That other nations are making a great concession in slowing down future cruiser construction while we catch up, and that therefore we should concede something to them in the general cruiser ratio, seems to be the basis of their reasoning. The net result is a penalty for us for having made the greatest sacrifice at Washington in 1922 and for having subsequently exercised an unmatched restraint in adhering to the spirit of that treaty. Instead of the Washington conference 5-5-3 ratio the cruiser ratio, counting both categories, finally is to become 5 for us, 5.2 for Great Britain, and 3.2 for Japan; this assuming that we build our full quota of the badly wanted 8-inch-gun cruisers. Such is the reward for our scruples and restraint.

The equity of altering the cruiser ratio against us should not be measured by ethics alone. When we went into the London conference we had a very large preponderance in destroyer and submarine strength. This was a legacy from the war and was in no degree a consequence of construction during the period covered by a limitation of armaments agreement. The destroyer ratio during the London proceedings, counting all of our destroyers of an age corresponding to those also counted for the other powers, was 5 for the United States, 3.2 for Great Britain, and 2.1 for Japan. Under the new treaty the destroyer ratio in 1936 will be 5-5-3.5, respectively.

If we apply the same reasoning to the destroyer and submarine situations, as apparently has been applied by some to the cruiser case, the concessions made in our favor in one case seem to be fairly balanced by the concessions which we have made to our own disadvantage in the other case. If Britain and Japan allow us to catch up to them in cruisers so do we similarly allow them to catch up with us in destroyers and submarines.

To have swapped off as between cruisers on the one hand and destroyers and submarines on the other, would seem to have been an equitable compromise. But we had to pay more than this for the agreement. We had to lower our general position in the relative standing of auxiliary strengths. We had to accept less than 5-5-3 in all three categories of auxiliary vessels—cruisers, destroyers, and submarines. Combining all auxiliaries, the new ratio to bind us for the future would be approximately 5 for us, 5.1 for Britain, and 3.5 for Japan.

This compromises the general position established by the Washington conference with reference to an equitable relation of naval strengths on the basis of which we made unmatched sacrifices. It is true that the Washington treaty contains no reference to auxiliary craft. But it is also true that during the conference there was exhaustive consideration of and universal approval in principle of the American plan for limitation. Two cardinal principles of this were set forth to be "That in general regard should be had to the existing naval strength of the power concerned" and "That the capital ship tonnage should be used as the measurement of existing strength for navies and a proportionate allowance of auxiliary combatant craft prescribed."

According to the official report of the American delegation (S. Doc. No. 125, 67th Cong., 2d sess., p. 20)—

"There was general agreement that the American rule for determining existing naval strength was correct; that is, that it should be determined according to capital ship tonnage."

On page 21 of the same report it is stated that—

"The negotiations resulted in an acceptance by both Great Britain and Japan of the ratio which the American Government had proposed."

On page 25 is set forth the fact that Japan expressed her willingness to adhere to the original American proposal respecting auxiliary tonnage, which was in the proportion of 5-5-3—the same as for battle-ships. The subsequent disagreement on auxiliaries was not in any way related to Japan's position. Since the 1922 negotiations nothing has occurred to alter the equity of a ratio of 5-3 as between the United States and Japan, except the weakening of our naval bases in the western Pacific through obsolescence.

Japan's agreement upon the 5-5-3 ratio was contingent upon our agreement to maintain the status quo of 1922 as to fortifications and naval bases in the Orient. Such naval strength as they then afforded us has since been lessened by the obsolescence of their material and by progress in methods and weapons for attack against them.

All of these circumstances taken together at least amount to a moral commitment to the 5-5-3 ratio for auxiliary naval ships. Regarded strictly from the viewpoint of equity the Japanese ratio should be lowered rather than substantially raised at this time.

I feel that the main point to be considered in this treaty is the large proportionate elevation of the Japanese whole ratio in comparison with ours. This is not a question of how much tonnage nor of how many and what types of ships or guns, but of lowering our general strength relative to Japan.

A second major point requiring elaboration is the marked change of American naval policy that will be made by this treaty. Heretofore the primary function of the American Navy has been taken to be the protection of American sea-borne commerce. This fundamental position dates back to the messages of President Washington urging the creation of a navy in 1796. The same position formed the basis of the American attitude at the Geneva Conference of 1927 called by President Coolidge.

The dispute at Geneva which wrecked that conference resolved itself directly into a question of commerce protection. The American argument, reduced to simple terms, was that since the United States was very deficient in overseas bases and in merchant ships suitable for conversion into auxiliary cruisers, she was equitably entitled to freedom of choice as to the type of cruiser she would build, within the maximum limits of individual tonnage and caliber of gun as fixed by the treaty of Washington. These limits are 10,000 tons displacement and a gun caliber of 8 inches.

The final instructions of the British cabinet to their delegation at Geneva were to accept no compromise on the 8-inch-gun question, and on this issue the conference failed. The British general position was that they needed a large number of cruisers, that it was unsuitable for their purposes and too expensive to build many of the 8-inch-gun type, and that if the United States should choose to build a large proportion of the more powerful type, the ability of Britain to protect her trade would be unduly impaired. This British view seems to have been consistently and successfully adhered to up to the present time.

The American counter-reply to this is that, considering Britain's extensive system of naval bases and numerous merchant auxiliaries, her power to injure American commerce would far exceed any corresponding power on our part, regardless of the number of 8-inch gun cruisers

we might have under a reasonable limitation agreement on total cruiser tonnage. This is a fact which is easily demonstrated. So also is the corollary fact that her commerce protection ability would far exceed ours on the same basis.

We may construct a chart of the world with a curve plotted thereon to indicate the points where equal cruiser power can be exerted by each nation on a basis of parity in cruiser strength without taking any account of the large British surplus of merchant auxiliary strength. We may assume that the existing British bases near our coast are not available to British cruisers, and that similarly the American oriental bases are denied to us. It will then be obvious that parity of cruiser strength between us offers no serious menace to British essential trade, but leaves with her the power to dominate some of our most essential trade routes. Please remember that the London treaty gives us less than cruiser parity both during its life and thereafter.

Under this treaty Britain gains the principle she contended for at Geneva—to restrict American ability to protect and attack commerce. This is largely the result of the fundamental American naval conception at London that we should minimize the commerce-protection function of a navy in favor of the combat strength of the concentrated fleet itself. Such doctrine is repeatedly and unmistakably set forth in the testimony of the chief naval adviser of the American delegation at London in his testimony before this committee and the Committee on Naval Affairs.

I have read a considerable part of his testimony and have picked out one statement which is fairly typical of many such statements of Admiral Pratt:

"I still think the 8-inch cruiser for certain work is the best kind of ship we can build. But I do want some of the 6-inch guns when you measure from fleet combat strength alone. If you are going to talk about protecting trade routes, that is another proposition. I did not make my estimate on that proposition. I made it on fleet combat strength, and it is for you gentlemen to judge whether it is good or not. I had to make it some way, and that is the way I made it."

As I have stated before, it represents a fundamental change in American naval policy, and this accounts for the conflict of professional opinion which has been expressed much more than any divergence of view over the relative merits of types and sizes of guns and ships.

The doctrine which contends for a sacrifice of commerce-protecting power in the interest of fleet combat strength obviously minimizes the importance of the national economic life, which is so dependent upon freedom of sea communication. From the American viewpoint, for example, we have to consider the maintenance of sea-borne commerce every year approximating in value our total national debt. The commerce is increasing and the debt diminishing. I am not an economist, but it is generally apparent what would be the effect upon the material welfare of our people which would flow from the serious interruption of a trade of such magnitude.

It is, of course, true that the combat strength of the fleet bears a close relation to commerce protecting ability. If one fleet can defeat another, the victor gains complete freedom of movement and opportunity thereafter to secure control of the sea. Even without a decisive victory, a superior fleet may pocket his opponent, as was done in the last war, and exercise a superior control over the sea communications of commerce.

In the late war the geographical position of England enabled her to pocket the German fleet from the start, and the greatly superior navies of the several allies permitted them to capture Germany's overseas naval bases and to drive her cruisers from the seas. But even under these exceptionally advantageous circumstances, the commerce of the allies suffered substantially over many months from German raiders.

In our geographical situation, there can be no fleet combat until one fleet has crossed a wide ocean; a movement normally involving months, and there is no assurance that a fleet battle will occur soon afterwards. An inferior fleet is more likely to seek the security of its main base, perhaps avoiding fleet combat altogether, and to utilize its outlying bases as points from which cruisers may operate against commerce and hostile cruisers. The capture of such secondary bases requires much time under the best circumstances, even when sufficient forces can be spared for such work.

A year or more may easily elapse between the outbreak of war and the first combat between the two main fleets, if such a combat occurs at all, and meantime what is to become of commerce and the economic life of the nations involved? Those possessing naval bases near the trade routes, to serve as points for refueling and refuge for their merchant ships and cruisers, will enjoy a great advantage. Nations not so well blessed, such as ourselves, will need more numerous cruisers armed with better gunpower to overcome their deficiency of bases, if they are to reach a parity in commerce protection power.

In comparing the United States with Great Britain and Japan, in this respect, there is a still further element of great importance. The other two parties to this treaty each possess three battle cruisers—a type of capital ship of very high speed and of great value in cruiser operations preliminary to fleet battle and in operations connected with commerce. These ships are from 27,000 to 41,000 tons each, carrying guns of 14 or 15 inch caliber. It will be recalled that during the late



war the British temporarily detached two of these powerful ships from the Grand Fleet in the North Sea and sent them all the way to the Falkland Islands, near the southern tip of South America, in a final and successful effort to destroy the two German 8.2-inch gun cruisers *Scharnhorst* and *Gneisenau*. British cruisers of ordinary type had failed to accomplish this purpose after many months' trial.

The existence of battle cruisers in the present fleets of Britain and Japan is a great advantage in connection with commerce protection and attack, which we are unable to match under the existing general conditions of capital-ship limitation. The closest possible approach which we could make toward balancing this advantage would be to build all of our cruisers of the 8-inch-gun type, because the battle cruisers necessarily carry light armor to obtain high speed. Eight-inch gun cruisers might inflict serious damage to a battle cruiser, while a 6-inch gun cruiser could not.

If we examine into what the 5-3 ratio means in terms of trade protection as between us and Japan, it is clearly evident that Japan enjoys a very great advantage over us in the matter of protecting trade with Australia, China, and the East Indies; especially considering the availability of Japanese battle cruisers, of which we have none.

The protection of commerce, as the principal function of a navy, is a thesis which has been practically unanimously adhered to for more than 100 years by the best American and British naval, economic, and political thought. For us now to subordinate this principle for the sake of increasing fleet combat strength is a major change of naval policy which should not be effected without the most careful consideration.

The most essential element in fleet combat strength is the offensive and defensive power of the battleships, and in this we have long been denied even an approximation to parity, by the wholesale scrapping following the Washington conference and by the subsequent construction of the British battleships *Rodney* and *Nelson*. The speed and defensive qualities of these two ships are so superior to the whole American capital ship force that the British thus enjoy a very marked advantage in fleet combat strength, which will be perpetuated by the new battleship holiday. While we may modernize our existing battleships at an aggregate cost of approximately two battleships, the net result will not equal the power we would gain by constructing those two new ships. The best and the cheapest way to modernize a navy is to build new ships.

Mention should be made of some other aspects of the treaty which affect both fleet combat and commerce protection strength, to our relative disadvantage. Through several special provisions, notably the shortening of the normal life of certain groups of cruisers and destroyers, the British and Japanese are enabled to modernize their auxiliary forces on a substantial scale through the building of replacement tonnage ahead of the usual time. This is reflected in the ratio of auxiliary tons built and building, which, aggregated at the end of 1936, will stand at about 5 for us, 5.7 for Great Britain, and 3.6 for Japan. The two latter countries have sought this advantage notwithstanding the large costs involved.

This large margin of superiority over us in 1936 will be somewhat reduced, but not equalized, in the normal course of events through scrapping of ships as replacement tonnage is completed. Nevertheless, it remains a fact that the combined built and building auxiliary tonnage will give Britain and Japan a substantially superior position of preparedness through several years, to provide for possible abnormal conditions. It seems to be a further fact that, as the treaty is drawn, much of this cruiser replacement tonnage might be used by them for an excess of the 8-inch gun type of cruisers, so long as they are not completed before 1937. The escalatory clause does not give us a chance to follow them in this.

These and other aspects of the treaty constitute very material disadvantages for the United States, over and above comparison based on tonnage alone. But even counting tonnage only, the ratios of final strengths for the entire respective navies as contemplated by the treaty, will become 5 for the United States, 5.2 for Great Britain, and 3.25 for Japan.

To sum up:

1. Our example of sacrifice in 1922 and, thereafter, our restraint in building, found us with a deficient cruiser tonnage at the recent conference. This was approximately balanced by our superiority in destroyers and submarines inherited from the war.

2. By the London treaty other nations have agreed to slow down their cruiser construction while we catch up. We similarly allow them to catch up with our destroyer and submarine strength. In addition we consent to an elevation of their ratio above 5-5-3 in all three categories of cruisers, destroyers, and submarines.

3. This is notwithstanding a moral commitment on the 5-5-3 ratio for auxiliary tonnage, at the Washington conference, upon which our sacrifices there were in part predicated.

4. This treaty represents a fundamental change in our naval policy, since it unduly subordinates the function of commerce protection, in favor of the combat strength of the concentrated fleet.

5. Trade protection as the primary mission of navies has been a doctrine upheld by the best political economic and naval thought of both the United States and Great Britain for more than a century.

6. We especially need a maximum of 8-inch gun cruisers to partially overcome the great advantage possessed by other powers in trade protecting ability, through their great superiority in battle cruisers, naval bases, and merchant auxiliary cruisers.

7. This treaty not only fails to allow us a sufficient proportion of 8-inch gun cruisers, but also cuts down our general ratio of auxiliary naval craft to 5, as compared with 5.1 for Britain and 3.5 for Japan.

8. The combat strength of the fleet is represented principally by the offensive and defensive qualities of the battleships. In this we will not approach parity with Great Britain until after a very expensive modernization of our existing battleships. Such parity would be accomplished as cheaply and more effectively by the construction of two new battleships.

9. Through several special provisions of the treaty in favor of Britain and Japan they are enabled to modernize their cruiser, destroyer, and submarine forces by the construction of new ships to replace old ones; generally in advance of the normal time when such replacement would be called for.

10. Largely through these latter provisions the ratio of auxiliary vessels in 1936, counting ships both built and building, will closely approximate 5 for us, 5.7 for Britain, and 3.6 for Japan.

11. The final tonnage strengths of the entire navies of the three powers, as contemplated by the treaty, will ultimately become 5 for the United States, 5.2 for Great Britain, and 3.25 for Japan.

As previously stated, consideration of these questions is not necessarily predicated upon war between the countries named. An equitable balance of naval power between them, which is the best assurance we can have for a continued peace, is not forecasted by the London treaty.

Mr. McKELLAR. Mr. President, may I ask the Senator from California if the hearings before the Foreign Relations Committee on the London pact have closed?

Mr. JOHNSON. I concluded yesterday, and so announced to the Foreign Relations Committee.

Mr. McKELLAR. Can the Senator state about what time the hearings will be printed for the benefit of the Senate?

Mr. JOHNSON. I have asked the chairman of the Foreign Relations Committee, and he says they are being printed; but the date of the conclusion he has not yet stated.

#### THE MERCHANT MARINE

Mr. McNARY. Mr. President, I ask unanimous consent that the unfinished business be laid before the Senate.

There being no objection, the Senate resumed the consideration of the bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928.

The VICE PRESIDENT. The question is on agreeing to the amendment offered by the senior Senator from Tennessee [Mr. McKELLAR].

Mr. VANDENBERG. Mr. President, this is the amendment submitted two days ago by the Senator from Tennessee, relating to the character of ownership of ships which are to be eligible for Government assistance?

Mr. McKELLAR. It is.

Mr. VANDENBERG. I would like briefly to present the viewpoint of the Postmaster General in respect to it.

Mr. President, the pending amendment is a paraphrase of the so-called Davis bill, which passed the House of Representatives and failed to win the slightest favorable consideration in the Committee on Commerce of the Senate. The Postmaster General appeared before the committee and presented a cogent and convincing analysis, which demonstrated beyond peradventure, at least to my satisfaction, and I think to the satisfaction of the entire committee, that the pending amendment, far from assisting the development of an American merchant marine, would act precisely contrary and produce handicaps instead of assistance.

I concede freely the fine good faith of the Senator from Tennessee in his attitude. I know he is fundamentally interested only in the development of a national merchant marine American in every possible degree. I share all of that aspiration and ambition. But at the moment, if we confront realities, it seems to me that we are driven to the conclusion that we serve the merchant marine in no particular whatever, we assist in putting the American flag upon the ocean in no degree whatever, by undertaking arbitrarily, through the terms of this amendment, to limit all governmental interest in the encouragement of a merchant marine to fleets which are wholly under the American flag.

Let me state the issue very plainly, so that there may be no doubt about it. In his zeal and enthusiasm, the distinguished senior Senator from Tennessee repeatedly made the statement that the question involved is the question of whether we shall pay subsidies or subventions to foreign ships. Subsequently, in a colloquy with me, he freely consented that that statement is abortive. There is no proposition pending, there never has been a proposition suggested, for the payment of any subsidy, any



subvention, any construction loan whatever to any foreign ship. The sole question raised by the Senator from Tennessee is this question: Shall these subventions be denied to American ships simply because they happen to be operated in a fleet which has within it ships under other flags? That is the only question before the Senate, and that is the question raised by the amendment submitted by the Senator.

If there is any possible relationship between the question as I have submitted it and the form in which the Senator from Tennessee originally submitted it, the only connection is this, a connection suggested by my distinguished colleague, the senior Senator from Michigan [Mr. COUZENS], when he asked of the Senator from Tennessee a hypothetical question. I think his question ran about like this: If a ship operator has 6 British ships, 6 Danish ships, and 6 American ships, how can you pour a subvention into that operator's treasury and allocate it exclusively to the American ships? In other words, is it not inevitably sure that that operator can, if he wishes, help his Danish or his British ships of this subsidy?

Mr. President, I think the hypothesis must be carried a little farther before it is in any degree analogous. Let us take this operator with his 6 British ships, his 6 American ships, and his 6 Danish ships, and let us say that he is bidding for route No. 39, from the north to the south Pacific coast, which the Postmaster General is advertising. The Postmaster General requires of that operator that he build two additional ships of a certain maximum type and character in order to qualify for this contract. Now what happens?

Mr. COUZENS. Mr. President—

The VICE PRESIDENT. Does the Senator from Michigan yield to his colleague?

Mr. VANDENBERG. Gladly.

Mr. COUZENS. Is that requirement in all the contracts in which there is a subvention?

Mr. VANDENBERG. As I understand it, it is the absolute requirement in practice as the system is now developed beyond its original scope. I would agree with the Senator that it ought to be mandatory.

But let me pursue the hypothesis. These two new ships must be constructed in American shipyards. They must be built under the American standard of ship construction. They must be subsequently operated under the American flag and under the American seamen's act. The subvention which that operator obtained as a result of that agreement merely measures—so nearly as this can be done abstractly—the difference in the cost of those ships as thus laid down in America and as they otherwise would have been laid down in Denmark or Great Britain. In other words, the ship operator, as a matter of dollars and cents, is no better off than if he had built those ships in Great Britain or in Denmark. The thing he has procured by way of subvention is merely the differential to compensate him for building them in the United States with American labor and under American standards and with a warrant to operate them under the American flag for a fixed period of years.

Mr. McKELLAR. Mr. President—

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Tennessee?

Mr. VANDENBERG. I am glad to yield.

Mr. McKELLAR. The Senator leaves out of consideration the further thing that the shipowner may do, and that is to borrow the money from the Government under another act to build those very ships; and within five years thereafter, if he wants to put them under another flag, he may do so.

Mr. VANDENBERG. I agree there is the additional construction advantage, but I insist that the transfer of the benefit from the American ship owned by an operator to a foreign ship owned by the same operator is absolutely impossible due to the very nature of the transaction. I think our confusion arises from our failure to understand precisely what is the nature of that transaction. If I may read briefly the statement made by a representative of the United Fruit Co. before the Committee on the Merchant Marine and Fisheries of the House, I think it will with some authority illuminate the thing I am trying to say. I quote:

The background for this proposed amendment is stated to be that it is un-American to pay an American company a subsidy in the form of mail pay for operating one American-flag service and having it utilize the profits from that service to operate some foreign-flag service in competition with another American mail contractor.

That, I think, is the question that was raised by my colleague.

This would be entirely logical if it were a fact that there were any appreciable profit in a mail contract. As far as the three routes on which the United Fruit Co. has bid are concerned, the estimated mail pay from those three routes during the contract term will barely offset the construction and operating differential during that term, leaving

us with the obligation to perform the service for 10 years in the face of changing economic conditions, whether it is a commercial success or not.

We have become interested in mail contracts purely as a matter of national pride to do our part in assisting in the upbuilding of an American merchant marine. The construction and operating differential has been gone into thoroughly and the President's interdepartmental committee fixed the new construction requirements on the three routes on which we have bid at a point which we believe is the heaviest construction requirement in proportion to the amount of mail revenue of any mail route which has been advertised or permitted so far.

Mr. McKELLAR. Mr. President, will the Senator yield?

Mr. VANDENBERG. Gladly.

Mr. McKELLAR. The Senator read something to the effect that there might not be an appreciable profit out of the subsidy to the contractor. The Senator was here yesterday or the day before when I showed that one company, the name of which I have forgotten for the moment, which has secured a contract from New York to the Mediterranean, reported that after one year's operation and about 66 trips the entire amount of first-class mail matter that had been hauled was about 4 pounds—4 pounds in the course of a year!—and the contract will cost the Government \$7,000,000. It seems to me that is an appreciable profit. Does not it appear that way to the Senator?

Mr. VANDENBERG. I am not familiar with the figures the Senator submits, but I persist in the idea, upon the basis of the information which has been submitted to the Committee on Commerce from time to time, that the differential represented by the average governmental advantage of one sort and another which the Jones-White Act provides for the American merchant marine is nothing more nor less, in the abstract at least, than a measurement of the difference in the cost to that operator when he builds in America and operates under the American flag as compared to his cost if he builds abroad and continues to operate under a foreign flag.

Mr. NORRIS. Mr. President—

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from Nebraska?

Mr. VANDENBERG. I am glad to yield.

Mr. NORRIS. I want to ask the Senator if under the law or the contract there are any other possible advantages to the Government on account of these contracts which are let and the subvention that is paid? I am thinking particularly of whether the Government has any right, and if so, what it is, in case of war as to the use of these ships as a part of its merchant marine—the ships that are thus built and thus operated?

Mr. VANDENBERG. I can not point the Senator to the specific section of the law, but it is my understanding that the entire subsidized—using that word loosely—merchant marine fleet is a constantly available auxiliary, and, of course, that would be one of the tremendous advantages in building an auxiliary fleet.

Mr. McKELLAR. Mr. President, will the Senator suffer another interruption?

Mr. VANDENBERG. Gladly.

Mr. McKELLAR. Let us take the case of the International Mercantile Marine Co. One of its subsidiaries gets the contract and gets the subsidy, and yet there is a contract between the International Mercantile Marine Co. and the British Government by which in time of war every ship under a contract with the International Mercantile Marine is obliged to be turned over to the British Government, even if the war is with the United States. Not only that, but they are obliged to give every advantage to the British trade. Does the Senator think subsidies ought to be paid to the International Mercantile Marine Co. or its subsidiaries under conditions like that?

Mr. VANDENBERG. I do not think there is any subsidy paid to any ship responsive to that sort of limitation.

Mr. McKELLAR. Under its contract it is. I understand the American Line is a subsidiary of the International Mercantile Marine, and is so considered by everybody.

Mr. VANDENBERG. The Senator is proceeding on the same theory that he did yesterday, that we can not separate out the advantages from the disadvantages and that we inevitably have a common focus. I disagree with that, and I want to proceed with a presentation of the reasons why.

Mr. President, I think the first necessity in order to achieve a fair estimate of the thing we are trying to do is to bear in mind what is the precise objective of the Jones-White law. Let us go to the Postmaster General for that information.

Mr. COPELAND. Mr. President, will the Senator yield at that point?

The VICE PRESIDENT. Does the Senator from Michigan yield to the Senator from New York?

Mr. VANDENBERG. I am glad to yield.



Mr. COPELAND. I do not think we should pass the point which was just raised by the Senator from Tennessee without making it clear that under the law section 24 of the shipping act, which provides:

No contract hereafter made with the Postmaster General for carrying mails on vessels so built and documented shall be assigned or sublet, and no mails covered by such contract shall be carried on any vessel not so built and documented.

No money shall be paid out of the Treasury of the United States on or in relation to any such contract for carrying mails on vessels so built and documented—

And so forth.

In other words, every vessel actually used in the carrying of mails must be an American ship.

Mr. VANDENBERG. I thank the Senator from New York. There is absolutely no question about it. The Senator from Tennessee, of course, makes his point entirely on the hypothesis that if there are two flags in the same fleet they inevitably intermingle ultimately.

\*Mr. McKELLAR. No; the point is that the International Mercantile Marine is really, as we all know, British in substance. However that may be, it has a contract providing that all of its ships in the event of war even with the United States shall go to Great Britain, and Great Britain has the right to command them or even to commandeer them or take them if she so desires.

Mr. COPELAND. Mr. President, it is not fair to permit a statement like that to go unchallenged.

Mr. McKELLAR. I will get the contract. I will state to the Senator from New York that the contract has been repeatedly placed in the Record during the last 10 years, and everyone knows it is there.

Mr. COPELAND. All British ships, including those operated by the International Mercantile Marine, can be so used by the Government, but when the Senator says that American-built ships, ships under the American flag, can be commandeered by the British Government, it is a perfectly absurd statement.

Mr. McKELLAR. Quite the contrary. Instead of being an absurd statement, it comes directly within that contract. The contract provides that the ships owned by the International Mercantile Marine shall be subject to the terms of that contract, and it does not state whether they are under one flag or under another.

Mr. VANDENBERG. Mr. President, I would like to proceed now in my own time for a few moments.

The VICE PRESIDENT. The Senator from Michigan declines to yield further.

Mr. VANDENBERG. I think there can be no argument whatever against the proposition that there is no possibility of any but American ships enjoying any phase or form of direct advantage under the Jones-White Act; that none but American ships operated as such permanently during the life of the contract can qualify.

Let us look at the fundamental purpose of the act to determine whether or not the Senator from Tennessee is going to help or hurt the American merchant marine. That, after all, is the thing we must bear in mind. Are we going to help or hurt the American merchant marine by limiting governmental aid only to those ship operators who operate American ships? What does the Postmaster General say on that subject?

Now, looking to the fundamental purpose of the merchant marine act, it appears to be to maintain an American merchant marine. Applying that test to the so-called Davis bill—

The Davis bill being in form the same as the pending amendment offered by the Senator from Tennessee—

Applying that test to the so-called Davis bill, it would seem to me that the Davis bill would not create any inducement to build American-flag vessels. On the contrary, it would seem to me that the building of American-flag vessels by any company which at the present time has a foreign-flag vessel.

Of course, there can be no controversion of that statement. The Senator from Tennessee proposes to stop absolutely any construction of any American merchant marine by any American operator who happens to have so much as one ship under a foreign flag. Let us continue the Postmaster General's statement:

We are trying to build a merchant marine. It seems to us in the Post Office Department that we should be just as glad to have a man who has been operating a foreign-flag vessel replace it with an American-flag vessel as we should be to have somebody else build an American-flag vessel. In fact, it would seem to me that that would be substantial progress for the American merchant marine—to have one who had been operating a foreign-flag business to operate an

American-flag business. The present merchant marine, of course, dates from the war period, and any of the American-owned companies have owned and others have chartered foreign-flag vessels, and have operated them because in many instances there were no American vessels available. In some cases they could be operated at less expense. Many of these vessels, of course, can be taken over and put under our flag. They would not be available for American business under the Jones-White Act, but they could be placed under our flag, now. If the Davis bill had been the law two years ago—

And that is the McKellar amendment—

it would have been impossible for the three finest vessels that are now under the American flag, built in American shipyards, to be built.

Mr. President, let us not overlook the final sentence just quoted from the testimony of the Postmaster General.

If the Davis bill had been the law two years ago it would have been impossible for the three finest vessels that are now under the American flag, built in American shipyards, to be built.

By the same token, if the McKellar amendment were a part of the Jones-White Act, it would have been impossible for the three finest vessels that are now under the American flag, built in American shipyards, to have been built at all. How can it be argued that such an amendment would be a contribution to the American merchant marine when we confront the inevitable and incontrovertible fact that the limitation now proposed would have stopped the building of the three finest vessels that have been contributed to the American merchant fleet during the last few years? I submit, Mr. President, that on their very face the exhibits demonstrate the fact that my able friend from Tennessee is dealing in theories and not in actualities; that he is proposing theoretically to cheer on the American flag upon the seas, but that in actual net result he is proposing to take the American flag off the seas by advocating a very vital change in the law.

I desire to refer to just one other thought, because I feel that the Senate has the situation fully in mind. I want to speak about one company with which I happen to be somewhat familiar, namely, the United Fruit Co. I know nothing at first hand about the other companies to which my friend from Tennessee has referred; I know nothing about the United Fruit Co. from direct contact, either as a stockholder or otherwise; but I have a personal acquaintance with one or two of its officers and I have seen it in operation in the Caribbean zone, in all of the Central American countries; and I have been impressed time and time again with the fact that the United Fruit Co. in the Caribbean zone is making one of the finest contributions to practical and effectual Pan Americanism that is being made either diplomatically or commercially by any agency under the sun.

The amendment of my friend from Tennessee proposes to say that the United Fruit Co. shall not have recognition under the Jones-White Act. Why not? Because all of its vessels are not under the American flag. Let us probe that situation for a moment. In the fleet owned by the United Fruit Co. 25 ships are under the American flag, 3 ships are under the Honduran flag, and 6 ships are under the Panamanian flag. Mr. President, I submit that there is greater advantage to the United States in having some of the ships engaged in Pan American trade and owned and operated by Americans under Pan American flags than under our own American flag. We all know the sensibilities of the Central American; we all know that we stand in a peculiar and particular relationship of responsibility toward him. We know that we live under the necessity of close and satisfactory relations with Central America, and there is nothing that contributes in greater degree to precisely that net result than this little recognition of Central American sensibilities through registry of a few ships under Central American flags; and I submit that there is nothing inimical to the best welfare of the American merchant marine in any such situation.

What else does the United Fruit Co. do which, in the view of the Senator from Tennessee, should drive it out of the category of an eligible, honorable, reliable, and dependable adjunct to American merchant marine?

Mr. McKELLAR. Mr. President—

The PRESIDENT pro tempore. Does the Senator from Michigan yield to the Senator from Tennessee?

Mr. VANDENBERG. I yield.

Mr. McKELLAR. How many foreign ships has this 100 per cent reliable American company under its control?

Mr. VANDENBERG. I am proceeding to give that information.

Mr. McKELLAR. The Senator has the figures there. How many foreign ships and how many American ships are under the company's control?

Mr. VANDENBERG. I am proceeding with the inventory; I have already covered two-thirds of it. The company has 25



ships under the American flag, 3 ships under the Honduran flag, 6 ships under the Panamanian flag, and 5 ships under the British flag, a total of 39, or a gross tonnage of 163,000.

Mr. McKELLAR. It has more ships under foreign flags than it has under the American flag.

Mr. VANDENBERG. Oh, no; 25 out of 39 are under the American flag.

Mr. McKELLAR. I inquire what is their tonnage?

Mr. VANDENBERG. The vessels under the American flag have a tonnage of 115,000, out of a total of 163,000 tons.

There is an additional seasonal tonnage, which may be what the Senator from Tennessee has in mind. I think it is Norwegian tonnage, which is chartered in seasonal peaks and from voyage to voyage, when there is no other available American steamship service to meet the seasonal demand growing out of the banana operations in Central America. That, however, is totally beside the fundamental point. The fundamental point is that practically all of this tonnage is under the American flag, and that which is not under the American flag is largely under Pan American flags. Regardless, however, of what flag the ship is under, the company is 100 per cent American owned.

Mr. McKELLAR. Mr. President—

Mr. VANDENBERG. I yield to the Senator from Tennessee.

Mr. McKELLAR. How many of these seasonal vessels are there?

Mr. VANDENBERG. I regret to say that I have not the information, unless these figures supply it, namely, 28 Norwegian chartered ships, covering very brief intervals, with a net tonnage of 23,000. I do not vouch for those figures.

Mr. McKELLAR. Does the Senator know that recently the Postmaster General has let three contracts to this, what the Senator calls Pan American company, and which I think might be better termed "an international company"? Does the Senator know that we have already subsidized three lines of this Pan American or international company?

Mr. VANDENBERG. Yes; I not only know it but I read the fact to the Senate, and I emphasized the exhibit as one of the best possible reasons why the Senator is wrong in his position, because, as a result of precisely that negotiation, the three finest American vessels built in the American merchant marine during the last few years have been added to the American merchant fleet.

Mr. COPELAND. Mr. President, will the Senator yield?

Mr. VANDENBERG. I yield.

Mr. COPELAND. The Senator can go farther. Six ships of 14,000 tons each have been ordered by the United Fruit Co., three of which are to be built by the Newport News Shipbuilding & Dry Dock Co. and three by the Bethlehem Shipbuilding Corporation (Ltd.).

Mr. VANDENBERG. I thank the Senator.

Mr. McKELLAR. Are they to be built with or without Government aid?

Mr. COPELAND. They are to be of 18 knots each, and there is to be a loan from the Government of \$15,000,000.

Mr. McKELLAR. So long as the shipowners can have the Government to build their ships, and then pay them subsidies for operating them, how easy it is to be in the shipping business and to make money out of it.

Mr. VANDENBERG. Mr. President, let me pursue that suggestion. If that is wrong, then the whole Jones-White Act is wrong.

Mr. McKELLAR. I think it is.

Mr. VANDENBERG. Very well; then we are certainly at a fundamental difference. The Senator disbelieves in any aid in the creation of an effective merchant marine. From that premise, I readily concede that his present purpose in offering the pending amendment is utterly sound, because the amendment which he has offered would accomplish, in nine cases out of ten, precisely the object which he frankly confesses, namely, to make the Jones-White Act absolutely innocuous and to nullify and negative its contribution to the creation of a useful American merchant marine.

Mr. President, just a word about the degree of American dependability which is involved in the situation. The Postmaster General says:

The United Fruit Co. has the only fully refrigerated fleet that I know of operating out of the United States ports. During the war it was immediately taken over in toto by the United States Government, as perhaps the most useful shipping agency that the United States had because its refrigerated ships enabled the War Department to transport supplies to France. And in the event of another national emergency, making it necessary to transport foodstuffs overseas, refrigerated ships would be an essential.

In other words, here is the one and only refrigerated service which was available during the late war; here is one, at least,

of the few refrigerated services which are available to-day; it played completely the part of a patriot in 1918; but the Senator from Tennessee proposes to say that it shall never have another opportunity to serve as such patriot if he can prevent it. I submit that such action on the part of the Senator from Tennessee does not constitute a contribution to the upbuilding of the American merchant marine.

Why does not the Senator want the United Fruit Co. to build new ships under the Jones-White Act? Is it because the ships will not be built in American shipyards? No. Is it because the construction of those ships will not give employment to American labor? No. Is it because those ships will not have to be operated under the American seamen's law? No. Is it because, in any phase or form or degree, those ships will be entirely anti-American or un-American in any emergency? No. Well, what is the reason? The reason is that this company operates some other ships somewhere else under some other flag. I again insist that the way to build up an American merchant marine is to invite those who operate under foreign flags to operate under our flag and not to build a stone wall against such attrition to our merchant marine.

Mr. President, this, in a very brief summary, is the situation that confronted the Commerce Committee. The Postmaster General, who has the most active and reliable information of any administrator of the Government upon the subject, because it is his prime responsibility, emphatically advised against the proposal now submitted by the Senator from Tennessee in the form of an amendment to the act now on the statute books.

The Commerce Committee was so impressed with the viewpoint which he submitted that I think it was practically unanimous in believing that the pending proposal, far from being of the slightest assistance to the American merchant marine, far from offering any inducement to put another American ship upon the sea or another American flag upon a single vessel, would act precisely in the contrary way, and would represent a liability instead of an asset for the American merchant marine.

On this basis, Mr. President, I hope the amendment submitted by the Senator from Tennessee will be rejected.

Mr. COPELAND. Mr. President, to my mind it is very unfortunate that the Senator from Tennessee is raising this issue. Those of us who are interested in the American merchant marine have been much concerned for a great many years over the decline in our shipping.

When the Great War came on the American people had on the high seas in interoceanic trade, only 15 vessels. Think of it! This great country had only 15 flags traversing the sea! As a result of the passage of the Jones-White Act, the provision for the Government loans objected to so seriously by the Senator from Tennessee, and the provision for the mail subventions, we have gone on until now we have in process of building 20 or 30 American ships.

The Senator day before yesterday spoke at great length regarding one American line—a line purchased from the Shipping Board, operated by American capital, exclusively an American institution. It so happened that the president of that line was in the gallery when the Senator made his speech and his strictures upon the line; and the man was so distressed and discouraged that he came to my office and all but wept on my shoulder to think that having put every dollar he has into this enterprise, striving as a loyal American to build up an American line in the Mediterranean, a Senator should make such an attack upon him. I regret exceedingly that that should be the effect of the things that are being said here.

We have now in process of building a great number of American ships.

Mr. McKELLAR. Mr. President, will the Senator yield?

The PRESIDING OFFICER (Mr. HEBERT in the chair). Does the Senator from New York yield to the Senator from Tennessee?

Mr. COPELAND. I do.

Mr. McKELLAR. If the Senator had been a private citizen, as this gentleman was who was sitting in the gallery, and heard objections to the Government's paying him, for carrying little or no mail, the enormous sum of \$700,000 a year for 10 years, does not the Senator think that in his own interest he would have objected too?

Mr. COPELAND. Mr. President, I assume that if he were a Member of the Senate he would be a loyal American, and would be glad to have the American merchant marine developed. We can not have an American merchant marine without competition with the methods which are used in Europe to build up their shipping. We know that when a Cunarder is built, a large proportion of the cost is not loaned to the Cunard Line; it is given by the British Government to the Cunard Line. That is a contribution on the part of the British Government.



Why? In order that that ship may become an auxiliary of the navy, and in time of war be used by the British Navy.

The Senator from Tennessee has objected about the International Mercantile Marine, and has found fault with them, and has made the statement that even the American ships owned by that company will be commandeered by the British Government in time of war. That was the situation some years ago; but in 1928, when we had become ship-minded in this country, that contract with the British Board of Trade was changed. I want the RECORD to show that now no ship under the American flag—no ship except those which are British ships, carrying the British flag—can be so commandeered. That contract, may I say to my friend from Tennessee, was changed in 1928; so he is out of court as respects that particular matter.

Mr. McKELLAR. Mr. President, there has been no publication of the change that I have ever seen, and I do not know of any change. I shall be glad if the Senator will show the change.

Mr. COPELAND. I shall be very happy to do so in due time. I think, if the Senator will take this volume of the hearings, he will be satisfied in that regard.

I have here a list of American ships which are now building, the operation of which is made possible by the Jones-White Act, showing, as my friend from Tennessee will enlarge upon, a loan from the Government of \$93,000,000 in toto, and yet representing an investment in these ships of at least twice that amount. I ask that the list of these steamship lines, together with the list of loans and the tonnage of the ships, be inserted in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The matter referred to is as follows:

[From the New York Herald Tribune of May 25, 1930]

American Line Steamship Corporation, New York: Combination cargo and passenger vessel, 15,300 deadweight tons, 18 knots; S. S. Pennsylvania; Newport News Shipbuilding & Dry Dock Co.; loan, \$5,250,000 (delivered).

American South African Line (Inc.), New York: Combination cargo and passenger vessel, 9,400 deadweight tons, 13 knots; total loan, \$1,350,000; hull 116, Sun Shipbuilding & Dry Dock Co. (delivered).

Grace Steamship Co., New York: Combination cargo and passenger vessel, 6,800 deadweight tons, 18 knots; total loan, \$2,454,750; hull 387, New York Shipbuilding Co. (delivered).

The Agwi Navigation Co., New York: Two combination cargo and passenger vessels, 5,700 deadweight tons, 18 knots; total loan, each vessel, \$3,262,500; hulls 337 and 338, Newport News Shipbuilding & Dry Dock Co.

Dollar Steamship Co., San Francisco: Two loans granted for two combination passenger and cargo vessels, 15,000 deadweight tons, 20 knots; total loan, \$10,575,000 for both vessels; hulls 339 and 340, Newport News Shipbuilding & Dry Dock Co.

Export Steamship Corporation, New York: Combination cargo and passenger vessels (four), 9,400 deadweight tons, 15 knots; total loan, \$6,900,000 for four vessels, including hotel equipment; New York Shipbuilding Co.

Oceanic Steamship Co., San Francisco: Two loans granted for two combination passenger and cargo vessels, 11,300 deadweight tons, 20 knots; total loan, \$11,770,000, both vessels; hulls 1,440 and 1,441, Bethlehem Shipbuilding Corporation (Ltd.).

Coamo Steamship Corporation, New York: Loan for one combination passenger and freight vessel, 4,500 deadweight tons, 15½ knots; total loan, \$1,896,000; hull 1,432, Bethlehem Shipbuilding Corporation (Ltd.).

Motor Tankship Corporation, Philadelphia: Five loans granted for five tankers; hulls 120, 122, 123, 124, and 131; 13,450 deadweight tons; Sun Shipbuilding & Dry Dock Co. (two delivered).

Tidewater Associated Transport Corporation, New York: Two loans granted for two tankers, 13,450 deadweight tons; Sun Shipbuilding & Dry Dock Co.; each tanker, \$1,301,025.

Motor Tankship Corporation, Philadelphia: Five loans for five tankers, 13,500 deadweight tons each, 11 knots; each loan, \$1,265,625; Sun Shipbuilding & Dry Dock Co.

United States Lines (Inc.), New York: Two loans for two passenger and cargo vessels, approximately 20,000 gross tons, 20 knots; total loan, \$15,750,000 for both vessels; New York Shipbuilding Co.

United Fruit Co., Boston: Six loans for six vessels, 4,000 deadweight tons each, 18 knots; total loan, \$15,412,500 for all six; three to be built by Newport News Shipbuilding & Dry Dock Co. and three by Bethlehem Shipbuilding Corporation (Ltd.).

A number of these vessels already have been completed. Other loans are pending.

Mr. LA FOLLETTE. Mr. President, will the Senator from New York yield to me in order that I may suggest the absence of a quorum?

The PRESIDING OFFICER. Does the Senator from New York yield for that purpose?

Mr. COPELAND. I do.

Mr. LA FOLLETTE. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names.

Ashurst	Glass	McKellar	Simmons
Barkley	Glenn	McMaster	Smoot
Bingham	Goff	McNary	Steak
Black	Goldsborough	Metcalf	Steiner
Blaine	Gould	Moses	Stephens
Borah	Greene	Norbeck	Sullivan
Bratton	Hale	Norris	Swanson
Brock	Harris	Oddie	Thomas, Idaho
Broussard	Harrison	Overman	Thomas, Okla.
Capper	Hatfield	Patterson	Trammell
Caraway	Hawes	Phipps	Tydings
Connally	Hayden	Pine	Vandenberg
Copeland	Hebert	Pittman	Wagner
Couzens	Heflin	Ransdell	Walcott
Cutting	Howell	Reed	Walsh, Mass.
Dale	Johnson	Robinson, Ark.	Walsh, Mont.
Deneen	Jones	Robinson, Ind.	Waterman
Dill	Kendrick	Robison, Ky.	Watson
Fess	Keyes	Sheppard	Wheeler
Frazier	La Follette	Shipstead	
George	McCulloch	Shortridge	

Mr. LA FOLLETTE. I have been requested to announce that the junior Senator from North Dakota [Mr. Nye] is absent on official business.

The PRESIDING OFFICER. Eighty-two Senators having answered to their names, a quorum is present.

#### KANAWHA RIVER BRIDGE, WEST VIRGINIA

Mr. DALE. Mr. President, I report favorably from the Committee on Commerce the bill (H. R. 9439) to extend the times for commencing and completing the construction of a bridge across the Kanawha River between Henderson and Point Pleasant, W. Va. I submit a report thereon (No. 762). I call the bill to the attention of the junior Senator from West Virginia.

Mr. HATFIELD. Mr. President, I ask unanimous consent for the immediate consideration of the bill just reported by the Senator from Vermont.

There being no objection, the Senate proceeded to consider the bill, which was read, as follows:

*Be it enacted, etc.,* That the times for commencing and completing the construction of a bridge across the Kanawha River between a point in or near the town of Henderson, W. Va., and a point opposite thereto in or near the city of Point Pleasant, Mason County, W. Va., authorized to be built by Henderson Bridge Co., its successors and assigns, by the act of Congress approved March 2, 1927, heretofore extended by acts of Congress approved March 14, 1928, and March 2, 1929, are hereby further extended one and three years, respectively, from March 2, 1930.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

The bill was ordered to a third reading, read the third time, and passed.

#### PROHIBITION

Mr. TYDINGS. Mr. President, I ask unanimous consent to have printed in the RECORD an article from the Princeton Alumni Weekly entitled "President Hibben Attacks Prohibition—Declares that Eighteenth Amendment Can Not Be Enforced—The Danger of Nullification—The Peril to the Younger Generation—An Intolerable Situation."

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

PRESIDENT HIBBEN ATTACKS PROHIBITION—DECLARES THAT EIGHTEENTH AMENDMENT CAN NOT BE ENFORCED—THE DANGER OF NULLIFICATION—THE PERIL TO THE YOUNGER GENERATION—AN INTOLERABLE SITUATION

At the annual dinner of the Daily Princetonian, held on May 8, President Hibben in the course of his speech touched upon the question of prohibition. He spoke in part as follows:

"I am aware that in touching upon this subject I shall lay myself open to criticism and misunderstanding, but I feel constrained, as a public duty, to express my views very frankly upon a problem which is a perplexing one and which has become a matter of grave concern for all. For some time I have been thoroughly convinced that the present social conditions, due to the lack of effective enforcement of the eighteenth amendment and the violation of the law both in letter and in spirit, are doing a great damage, particularly to the present generation of young men and women which you represent. In all of the articles which I have read in support of the eighteenth amendment, and in most of the statements in favor of prohibition before the committee at Washington, the economic advantage to the country has been unduly stressed. It should not be overlooked, however, that on the other hand there is the large number of young men and young women with whom the present social conditions and practices regarding drinking are working a permanent damage in the undermining of the integrity of their moral stamina."

## PROHIBITION HAS NOT BROUGHT TEMPERANCE

"Before the war and immediately afterwards the youth of that time were becoming more self-controlled, with a growing disposition toward temperance, if not toward total abstinence. With the prohibition law there has been a very radical change. It is foolish to ignore it. I feel that college communities are not wholly to be blamed for this situation, for the young men and women to-day in college circles are reflecting merely what is going on in their own homes to a large extent and in their social environment quite outside of university centers.

"When prohibition first came into effect it was urged—and I very strongly believed it at that time—that the younger generation would grow up without the external temptations due to the fact of seeing about them and becoming familiar with alcoholic beverages, and that therefore a new generation would be educated with such temptations reduced to a negligible minimum. Unfortunately, the contrary has taken place, and the temptations to drink are not only greater in number but far more insidious and difficult to resist. Both women and men in many social circles are drinking to-day far more than formerly.

## AN IMPOSSIBLE TASK

"I of course realize the fact that much has been gained in the elimination of the saloons of our country, but in their place has grown up a multitude of speak-easies and roadhouses. I have been slowly forced to admit that the task of Federal enforcement of the eighteenth amendment has been an impossible one from the beginning.

## EFFECTIVE ENFORCEMENT NOT TO BE EXPECTED

"Owing to the tremendous extent of our country with its 120,000,000 or more citizens and the inadequate Federal police control, anything like an effective enforcement of the eighteenth amendment can not reasonably be expected. Moreover, the States are not generally co-operating with their 'concurrent powers' provided in the eighteenth amendment. The States have transferred their normal responsibility to the Federal agents. The police in our great cities have done the same, and the latter regard the speak-easies and the night clubs as lying outside the scope of their obligations. The business of the bootleggers is made possible by general bribery, the demoralizing effect of which is evident. Control of the manufacture, transportation, and distribution of liquor on a large scale is in the hands of the criminal classes, and there is very grave danger of our drifting indifferently toward the nullification of the eighteenth amendment, and that would be a very deplorable solution of the present problem.

"In any situation conditions which are intolerable suggest the question as to whether these conditions can not be bettered; if they can not be bettered then something of a very radical nature must be done. I myself do not see how the present situation can either be allowed to continue, or that there is any prospect of an effective enforcement through Federal agencies which will do away with the present evils.

"Any law to be adequately enforced must have the support of public opinion, and it is evident that this law has not the support of a very large number of the people of our country who are law-abiding, high-minded, useful citizens, and whose influence normally in the past and in the present is in support of the laws of the land. While I rigorously obey this law in my own home and elsewhere, I find myself among my friends and acquaintances in an absurdly small minority. Again and again at dinners, both private and public, I discover that I am almost alone in refusing cocktails, wines, and other alcoholic beverages. I claim no credit for this. I state this experience of mine merely to indicate that many of the group of law-abiding and law-supporting citizens do not support this law of prohibition. It is a sad commentary upon the present situation that many of the men who make the laws habitually break them in respect to their own drinking practices and habits.

## AN "INTOLERABLE" SITUATION

"Before the solution of any intolerable situation can be discussed or determined, it must be recognized that the situation is intolerable. Nothing is gained by denying the existence of facts or by closing our eyes so that we may not see them.

"I have been particularly interested in learning all that I could through observation and conversation concerning the results of the last 10 years of prohibition. During this time I have made three trips to the Pacific coast, three also into the Southern States, and quite extensive trips through the Middle West and the Atlantic and New England States. I have covered pretty well the whole territory of our country and have endeavored to keep my eyes open and to learn conditions from questions which I have put to those who know. The alleged economic advantages claimed for prohibition may exist, but when it comes to placing mass production at lesser cost, and the larger sales of radio outfits and automobiles and other luxuries of life as an adequate compensation for the demoralization and deterioration of public and private morals, I wish to enter my very serious and emphatic protest."

## LABORATORY FOR STUDY OF DEPENDENT AND DEFECTIVE CLASSES

Mr. McNARY. Mr. President, a few days ago I introduced a Senate bill (S. 3956) to establish a laboratory for the study of

the criminal, dependent, and defective classes. Recently Dr. Arthur MacDonald, of Washington, D. C., has written a very interesting and sympathetic article on the purposes of the bill. I ask unanimous consent that the article may be inserted in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

## REASONS WHY THE LABORATORY BILL TO STUDY THE CRIMINAL, DEPENDENT, AND DEFECTIVE CLASSES SHOULD BE ENACTED INTO LAW (S. 3956; H. R. 10655)

By Dr. Arthur MacDonald, Washington, D. C.

1. This bill was introduced in the Senate by Senator McNARY and in the House by Representatives DYER, CHRISTOPHERSON, and LA GUARDIA. Its main purpose is to study the causes of crime especially; also pauperism, defectiveness, degeneracy, and other forms of abnormality, with a view to lessening or preventing them. It is assumed that every citizen is interested in the purpose of such a bill.

In addition to this general scope of the bill there are some other direct ends which the bill is expected to accomplish:

2. To find whether or not there are any physical and mental characteristics that distinguish abnormal children from other children. Such knowledge would make it possible to protect children in advance and lessen the danger of contamination from abnormal children.

3. Exhaustive study of single typical criminals, which represent a large number, will give definite knowledge as to just how men come to go wrong and to what extent their surroundings influence them as compared with their inward natures. This would make possible a rational application of remedies for these evils and lead to better prison discipline.

4. More exact knowledge of the abnormal classes will enable us to manage them better in institutions. Such studies will bring men of better education and training in control of the institutions and increase interest in the professional study of these classes, which was one of the reasons the American Bar Association indorsed the measure.

5. Proper and full statistics of the abnormal classes will alone justify this bill.

6. To summarize and combine results already gathered by State and Federal institutions and governments, encouraging uniformity of method in collecting data, and making such data useful generally to all States.

7. To lessen the enormous expense to governments of the abnormal classes by study of the causes of the evils that involve such expense.

8. As stated, abnormal personalities cost the United States at least \$1,000,000,000 annually. But crime alone may cost as much; thus pyromaniacs (seldom caught) destroy many lives and millions of dollars' worth of property. There are also about 10,000 homicides a year, and many more cases of assault and malicious mischief in our country. Can we tell the money value of time, life, and labor lost and expenses incurred by each of these crimes? Can we estimate the expenditures for objects, due to crime, such as locks, bars, bolts, safes, vaults, burglar alarms, representing great industries and involving millions of dollars outlay? But more serious still, can anyone measure the mental suffering, agony, ruined lives, broken homes and hearts, desolation and despair caused by abnormals? Crime alone, fights against not only property, but law, government, and civilization itself.

9. To attack crime at its roots. The Government is to invest \$100,000 to combat against \$1,000,000,000, the annual cost of crime. The bill is put directly under the President, where high-class specialists will have much more freedom than under Cabinet officers more or less political and with little or no scientific training. Freedom is necessary for specialists, who, however, should be held responsible for results.

10. One general purpose of the laboratory is to determine more definitely the border line between the normal and abnormal. To study abnormal man, we must investigate normal man in order to have a standard for comparison.

11. It is not so important to know that crime and other abnormalities increase or decrease in this or that year; but it is important to know why there should be so much crime and abnormality as there is. Why should 5 per cent of citizens cause so much expense and trouble to 95 per cent? These troublesome few might be greatly reduced if they were studied personally and in connection with their environment, as has been done with animals.

12. But it may be asked as to the "practical" value of such studies? All facts about human beings, though not immediately available, are important; for any fact may be necessary to establish a new truth in connection with other facts discovered later; the history of science has shown this many times. To question the value of a fact because it is not immediately useful is not only against science but assumes what might be called mythological omniscience.

13. To separate criminals by nature (minority) from criminals by environment, at present they are put together, which is as unfortunate as if smallpox cases in a hospital were placed among the other patients.

14. Thus, criminals by nature give new points to criminals by environment, so that penal institutions have been called schools for crime.



15. To distinguish between these classes of criminals requires not one but a number of experts as in section 3 of the bill which reads: "For the aid of the director there shall be appointed one anthropologist, one criminologist, one psychologist, one alienist, one neurologist," etc.

16. In reformatories first offenders are treated differently from the others, but not a few of these are criminals by nature, and should be distinguished at the outset, which requires several specialists as indicated above. For it needs only a few such first offenders to contaminate them all.

17. It is doubtful whether any criminal dangerous to life or property should be let out at all, for it is estimated that ex-convicts commit more than half the crime. It would seem better to confine them and make them work than to allow them their freedom, treating them somewhat as we do the insane. The bill will study just such questions, but by scientific methods. Such a bill is a foundation for all criminological work.

18. When a physician treats a patient he studies the patient thoroughly, but when a criminal is dealt with he is seldom or ever studied thoroughly. Such in general has been the unscientific treatment of criminals. It is due time that the criminal himself should be studied by rigid scientific methods, if we are ever to know the main and various causes of crime, the amount due to criminal nature, and the amount due to environment.

19. The bill has been indorsed by the leading medical and legal organizations of our country, including the American Bar and American Medical Associations, not to mention the International Congress of Criminal Anthropology of Europe. The bill was also reported three times favorably by the Judiciary Committees of Congress, but failed of passage through delay.

20. With such previous indorsement, especially of three Judiciary Committees, one of the Senate and two of the House, the bill is entitled to first consideration, and every effort should be made as soon as possible toward enacting it into law.

#### NORMAL MAN STUDIED BEST IN PRISON

In most institutions there is a sameness of environment especially in reformatories and prisons where the inmates rise, exercise, eat, rest, and sleep regularly and usually at the same times, making the environment practically the same; this constitutes good laboratory conditions for scientific study which would be almost impossible outside in the community. Differences between the inmates of institutions therefore will depend mainly upon their inward natures rather than upon their environment. Moreover, it is estimated that about three-fourths of inmates in reformatories and about two-thirds of inmates in prisons are normal, their previous environment having been abnormal. The normal ones can be segregated from the abnormal ones, although there will always be a few difficult border-line cases, as in insanity, to determine. Thus reformatories and prisons can serve as humanitarian laboratories for the study of normal man and these results will apply therefore to man in general.

Since the inmates are cared for at Government expense in penal institutions and since such research is directly for their benefit scientific study in our institutions should always be encouraged. When the environment is sufficiently abnormal to account for a crime it is not necessary to attribute the crime to inward nature, though such nature at the same time may contribute a little, since all men seem to have a dormant criminal element in them, yet not sufficient to show itself except when environment is so bad as to provoke it.

Thus as a by-product, which is sometimes more important than the product itself, scientific study in our institutions for the abnormal may discover truths of the greatest value to all mankind.

#### SCHEDULE FOR ANTHROPOLOGY OF MODERN CIVILIZED MAN

Without measurements no study can attain the status and dignity of a science. The author has applied the schedule below (with additional measurements) to inmates of reformatories and prisons. After spending some two years in such institutions here and abroad and visiting and measuring the inmates in their cells, the results were published in two works, one entitled "Criminology" and the other "Le Criminel Type." The superintendent or warden was usually asked to name those criminals who had acted in their crimes with the least provocation, as in murder, robbery, theft, and meanness.

"Criminal anthropology" is the proper term for such work, and the emphasis should be on "anthropology," since the majority of criminals are normal, their environment being abnormal. That is, their crimes are due more, and often much more, to their environment than to their natures or characters; strictly speaking, they are not criminals, though so called. Thus criminal anthropology is popularly called "criminology," showing a tendency to exaggerate the evil nature of man.

#### A FEDERAL DEPARTMENT OF EDUCATION

Mr. CAPPER. Mr. President, I rise to make a few observations concerning a bill now pending in the Committee on Education and Labor of the Senate (S. 1586) to create a department of education with a secretary of education in the President's Cabinet. Approximately 5,000,000 citizens from all over the

United States have petitioned Congress in the past two years to pass this measure.

I have received in my office petitions signed by more than 100,000 supporters of the so-called Capper-Robson bill. Typical among them are petitions signed by some 60,000 citizens of California, for instance, secured by about 3,000 volunteer workers from one branch of one fraternal organization. These petitions comprehend men and women from every walk of life and are typical of a great number of similar petitions that have been coming to the offices of Senator Robson and myself, as well as to the offices of other Senators and Congressmen for the past several months. It is much to be doubted if any question before our people has attracted greater attention, and there is no apparent abatement of interest in it.

In spite of this great display of interest on the part of millions of people in the proposed legislation, the bill has remained in the committees of both the House and Senate, apparently without serious attention from the committees. I do not believe that Congress can afford to ignore the pleas of the people for the enactment of this legislation. It probably is too late now to get action on the bill at this session, but I desire to give notice now that when Congress reconvenes in the next session I shall insist that the bill be taken up at once and receive serious consideration at the hands of the committees and the Congress to which I believe its importance entitles it.

Mr. President, an examination of this bill will reveal that its purpose is to create an agency through which the Federal Government may conduct and may serve as a clearing house for fact-finding investigations relating to the education of our youth.

Fifty years from now it will be incomprehensible to the intelligent citizen that as late as 1930 we were satisfied to let opinion and guesswork be the principal guides as to how we should educate our youth. A half century from now facts and scientific knowledge will play a rôle in the education of children comparable to that which they now play in such fundamental national interests as commerce and agriculture.

It is true that many exhibit little enthusiasm for the use of the results of research in educating our children. But this attitude is not a new one. Indifference and even opposition have greeted every proposal that some important field of human work should displace guesswork and opinion by facts and tested knowledge as a guide to practice. Fifty years ago the typical business man and farmer felt little enthusiasm for the suggestion that their respective industries could be benefited by using facts rather than guesswork as guides to progress. It is now incomprehensible to us that as recently as 50 years ago there should have been serious opposition to the idea that research had something to contribute to commercial and agricultural advance.

It was not until after 1870 that any American manufacturer considered it worth while to employ a chemist to analyze the ore and other materials that entered into the making of pig iron. Andrew Carnegie was one of the first to profit from the application of chemical research to the manufacture of steel. He did not need a second lesson when he discovered that some of the cheapest ores were the highest in iron content.

But once the idea permeated the minds of our industrial leaders that facts and scientific knowledge could be used in industry, the death warrant was signed for establishments content to let rule-of-thumb hunches and guesswork show them the way. Wasted materials, seconds, rejects, dissatisfied customers, these specters soon hover over the graves of industries which fail to worship at the shrine of scientific research.

To-day, Mr. President, the richest assets of some of our largest corporations are not their physical properties, but the discoveries made in their research laboratories. These discoveries, protected in the form of patents, are the very basis of industries already flourishing or those which will be developed in the future. The fact that an industrial concern maintains a research organization makes it a preferred risk among brokers advising clients as to the purchase of stocks or among bankers concerned with the granting of credit. It is recognized by such experts that an industrial concern can not successfully compete in this day and age unless it maintains facilities to supply it with the facts and discoveries which are the same material of industrial progress.

Through research, expert chemists, physicists, and engineers have established in the short space of 15 years an American chemical industry which is of such magnitude, both as to quantity and quality of product, that it is the marvel of European competitors. We took a leaf from Germany's book of experience, with the result that we are now practically independent of the rest of the world in this field as compared with the situation before the war when we depended upon European supplies.



Mr. President, it has been estimated that more than \$200,000,000 a year are being expended in various forms of commercial fact finding and research. The National Research Council recently published a directory of 1,000 industrial research laboratories in the United States. These laboratories vary all the way from such an organization as the Bell Telephone laboratories, with its staff of 2,000 full-time research workers, to firms employing a single investigator. The scope of these research efforts has broadened until they touch every phase of industry.

In an organization such as the Ford automobile plant nothing is too small to receive attention. Research has extended far beyond the materials of production themselves. It touches potential markets, existing and prospective uses, and suggests future trends and studies both foreign and domestic customers. It is estimated that the automobile industry spends more than \$75,000,000 a year for research.

Throughout the Nation industries are replacing the old empirical rule of thumb methods with exact and scientific procedures. Improved production methods, the elimination of waste, scientific management, advertising efficiency, better methods of distribution—these are some of the outcomes of research. They have made American industries formidable competitors in world markets.

That facts and exact knowledge, rather than guesses and hunches, are becoming the guides of industry is made clear by a recent survey of the National Research Council. Eight hundred leading American manufacturers were questioned as to the dollars and cents value of industrial research. Sixty-eight per cent of those questioned maintain laboratories. Only 3 out of the 800 were of the opinion that research in industry does not pay.

Nor are we content to leave fact finding and research as it affects industry wholly to private initiative. Not 2 miles from where I now stand there is rising a stately structure, costing \$17,500,000 of public money, which is to house the Department of Commerce. Through this great clearing house of trade information the business men of the Nation are furnished with the facts essential to the efficient operation of their plants and are stimulated to adopt cooperative practices which are necessary to successful competition at home and abroad. We spend \$2,000,000 a year on the Bureau of Standards. The savings to the American people which have resulted from the experiments of the laboratories of this great bureau are hard to estimate, but some idea of their importance may be gained from the fact that nine great industries reported that annual savings of nearly \$300,000,000 had resulted from the activities in standardization and simplification of industrial products.

And so, Mr. President, we may say that research has graduated from a thing of pure science and abstract reasoning into a full partnership with practical industry. Not only has private industry recognized the value of research, but the American people as a whole have developed and supported in the Department of Commerce one of the most complete, varied, and prolific organizations for fact finding and research which exists in the world.

Mr. President, a similar story may be told concerning agriculture. In terms of value of product, this is our second most important industry. Agriculture has only in recent decades begun to shake itself loose from the incubus of superstition, guesswork, and rule-of-thumb procedure which stifled its progress for centuries. A competent authority recently stated that there was practically no improvement in the agricultural practices of western Europe from the fall of the Roman Empire to the beginning of the nineteenth century. During all these centuries there was hardly a suggestion of what has since been done to increase the productivity of food plants through breeding and selection, to stimulate the soil by fertilization and better handling, to control plants and animal diseases, and to increase man's agricultural productiveness in a thousand ways. The barren centuries of agricultural stagnation offer a striking background against which to view recent advances in this field.

The nineteenth century ushered in the beginning of scientific research as applied to agriculture. Agricultural chemistry gave us new conceptions of the life of the plant and its relation to the earth. The agricultural experiment station came in, with the result that the whole attitude of the industry has been changed.

We take as a matter of course to-day that every phase of our agricultural economy shall lean on research. There is not an important agricultural activity in the Nation which could exist in its present form if it were not for the facts and knowledge which scientific research has revealed. The various plant pests and animal diseases would wreak irreparable damage if research did not show us how to eradicate, or, at least, to control, these scourges. But for the research which made possible the steel and other materials which compose our agricultural imple-

ments, our farmers would plow with crooked sticks and harvest with the flail.

The scope of agricultural research has continually broadened. At first largely limited to problems of the control of plant and animal disease, of the maintenance and increase of soil fertility, and of the breeding of plants and animals, it was later enlarged to include studies in farm management, distribution and marketing of farm commodities, the purchase of farm commodities, and the manufacture of agricultural products. Still later the Purnell Act made specific provision for the widening of the scope of research to include studies in rural sociology and agricultural economics which directly affect the welfare of the people engaged in farming.

The Federal and State Governments now spend millions annually for agricultural research and consider it a good investment.

The victories of facts and tested knowledge in the fields of manufacturing and agricultural industry are not isolated examples. The results of scientific research in the field of medicine are too well known to need recounting. Many diseases and scourges which once made human existence a gamble and snuffed out the lives of millions, and still do in nations where superstition rather than science is the guide, have either ceased to exist or have been brought under control. Each day brings new discoveries which give man greater mastery over his physical welfare.

Likewise there is no need to catalogue the victories of scientific knowledge in the fields of transportation and communication. It is commonplace to-day that one can travel from New York to San Francisco much more quickly and far more comfortably than Thomas Jefferson could travel from Philadelphia to Washington. A hundred years ago man's range of quick communication was limited to the carrying power of his voice. Since that time research has created means of communication whereby it would be possible for one man to talk to every human being on the earth at the same instant.

Mr. President, every one of these great national interests—manufacturing, agriculture, medicine, transportation, communication—at one time depended upon guesswork, individual opinion, and even prejudice or superstition for its progress. So long as this situation continued their advance was exceedingly slow and uncertain. Just as soon as they took the wheel from the hands of false pilots and placed their reliance in facts and tested knowledge a new day arrived. Within a century they have made more progress than in all previous history.

Scientific research has remade every field of human activity to which it has been applied. And yet it is a strange fact that efforts to place any field of human endeavor on a scientific basis are met with skepticism, doubt, discouragement, and even opposition. Fifty years ago the typical practical business man and farmer offered little encouragement for those who thought industrial and agricultural methods and production could be improved by an application of scientific research to these fields. To-day no intelligent man will deny that tremendous advance has come to both commerce and agriculture from just such an application.

And so, Mr. President, in urging that proper facilities should be provided for fact-finding and research in education, I realize that as in the past some will be hostile. But I would ask them to consider two truths. First, facts and tested experience have successfully replaced guesswork and individual opinion as a guide to procedure in other great national undertakings with great benefit. Is it not reasonable to ask whether our schools might not similarly profit? Second, is this not a very reasonable hope when we realize that a promising start has already been made toward making the education of children a scientific rather than a trial-and-error procedure? In fact, if the research facilities are provided, we are destined to witness an advance in the field of education comparable to that which has been made by commerce, agriculture, and other important national interests. Let us spend a little more time on this last point.

Since 1900 the whole attitude of the teaching profession has changed toward the use of research results in school practice. Hostility has been replaced by general acceptance. Last summer more than 270,237 teachers enrolled in college and university summer schools in order that they might obtain the knowledge whereby to make their schoolroom procedure more scientific. The National Education Association, the largest professional organization of education and supported by the annual membership dues of some 200,000 teachers, now appropriates \$100,000 a year, nearly one-fifth of its total income, for the support of educational research. Colleges and universities in every part of the Nation have established departments and schools of education, one of the functions of which is to discover the facts which will make the teacher's work less a matter of guesswork and more a matter of scientific procedure.



Mr. President, promising progress has already been made in creating the body of facts and tested knowledge which is the foundation upon which intelligent practice in any occupation must be built. Let us give a few illustrations.

At one time when a community wished to erect a school building the procedure was often something like this: Some swampy or otherwise undesirable piece of land, already rejected as a suitable site for a residence, factory, or other structure, would be selected. Little attention was given to the proper location of school sites within the community. The trend of growth in the community was hazily considered if at all. The site was as likely to be in a section of the community in which the school population was decreasing as in one in which it was increasing. The danger of traffic to children going to and from school, and its interference with classroom work was given little consideration.

On this property would be erected a boxlike structure. Safety as it concerned fire hazard to children had little attention. The windows were punched into the walls at regular intervals with no consideration of the lighting results and the consequent effect on children's eyes. Awful monuments to the trial and error procedure in school-building construction still exist in most communities. In fact, in some communities they are still being erected.

But a better procedure is being evolved. Facts rather than guesses are already being used in many cities in selecting school sites and in designing school buildings. The location is carefully studied as to its relation to other schools. The trend of school population over a period of years is carefully measured. The location of the site is studied as to its accessibility to the children who are to attend the school. The amount of interference from traffic noises and other undesirable factors is appraised.

Upon the site which meets as many of these tests as possible is erected a building carefully planned with reference to the various educational activities which go on, in, and about a school. The placement of windows is such that children's eyes are protected from harmful glare as far as possible. The matter of fire hazard as it relates to materials of construction is considered. Sanitation and health are matters of first importance.

In short, we are on the threshold of a period when the old hit-or-miss methods of erecting school plants are passing out. Selfish interest, individual whim or opinion, and ignorance are being eliminated. In their place is being developed a scientific procedure of school-plant planning. This procedure seeks to make the money voted for schools go the greatest possible distance in providing a community with school plants which meet the various tests of safety, health, utility, and beauty. Facts and knowledge which are the outgrowth of research in many fields are brought to bear so that this may be accomplished.

This is but one and perhaps one of the least important phases of educating children which are being studied with the open mind. Intelligent educators quite generally recognized that a tremendous amount of waste goes on because of the use of ineffective and even harmful methods of teaching. Enough progress has already been made in setting up scientific, controlled experiments which test the outcome of various teaching methods to encourage us to believe that the time will come when the teacher will not have to depend wholly upon his own guesses as to what teaching methods are likely to get the best results in communicating knowledge and proper attitudes to the children of his class.

Mr. President, no one knows how much of children's time is wasted in taking courses which have little to recommend them except that they have been taught in the past. The movement to bring more intelligence into the selection of the material which shall be taught in the classroom, and to so modify it that it will bring the best results with children of varying needs and capacities, has only just begun. This work promises the eventual elimination of one of the major sources of waste in present-day schools. These are but illustrations of educational problems whose solution awaits the magic touch of research. That research will solve these problems, just as it has in other fields is no longer an open question. In the comparatively short period since 1900 sufficient progress has been made in applying the scientific method to educational problems to indicate that the solution of educational problems lies in this direction.

Just as fact finding and research have vastly modified commerce, agriculture, and many other important activities, so it is beginning to come in to modify the procedure of the school. Each succeeding year of the twentieth century will see a reduction in the amount of guesswork, individual opinion, and prejudice, which is used in determining the procedure of our schools, and an increase in the amount of facts, pooled judgment, and tested experience.

Mr. President, the creation of a science of educating children will not come all at once. The education of a child is a most

complicated process. It is a far more difficult matter to assemble and apply the knowledge essential to the refinement of iron ore into steel, or to eradication of wheat rust. But when one views the progress which has been made since 1900, it can not be doubted that a science of education can be created and that the time will come when teachers will be less and less guided by whim and guesswork and more and more by scientific facts and tested experience. Every field of activity which has come under the influence of the scientific method has been vitally influenced. Why should we doubt that the education of our children can not be made scientific?

If we accept the conclusion, therefore, that factual material is more and more to be the guide for school practice, the next question is, Who is to collect these facts, to interpret their significance, and to disseminate them widely throughout the Nation?

Mr. President, educational research is at present being conducted by a variety of agencies. Some local school systems and a number of State departments of education have created bureaus of educational research. These bureaus are doing something, but they are seldom adequately supported and usually are concerned more with the administration of education along traditional lines than in discovering new facts. Professors in some of our colleges and universities are conducting research which is significant for educational advance. The National Education Association and several State education associations have established research divisions. The educational foundations created by the wills of rich men have appropriated considerable sums for educational research. Some work is already being done by the Federal Government.

All of these activities need to be continued and extended. We are spending but a small fraction of what might be profitably expended to discover ways of making our schools more effective.

But the greatest need to-day as it concerns educational research is for agencies capable of conducting studies of national scope. Many of the fundamental problems now confronted by our schools can not be solved by local research bureaus, and it would be wasteful for them to attempt it, no matter how adequate their support might be. Nor are the research facilities of our great universities and private foundations adequate to the solution of the problems. Even if they could properly finance all educational research, it would be a mistake to let them do it.

It is no depreciation of the splendid work which has been financed by our private educational foundations to say that we should not leave the entire control of our educational research in private hands. The education of our children is a matter of prepotent public importance. We can not safely leave to minority groups the sole responsibility for the research which in the future will furnish guidance as to what should be done in the schools.

Let the universities and the private foundations continue their work. Let the National Education Association develop its research activities. But let us at the same time build up adequate facilities for the study and investigation of educational problems of national significance under public auspices.

The best guaranty that we can have that educational development in the future will be guided by unbiased research is to have a variety of agencies conducting the studies which are to guide this development. If all the cards are on the table, local school officials can be expected to make the selection and to take proper action in managing the schools.

As a matter of sound public policy, I propose that adequate facilities for educational research, under public control and publicly financed, should be developed. Publicly controlled educational research would supplement the activities of privately financed ventures in this field, and would guard against the dangers which might arise by placing the fountains of educational information wholly in the hands of privately controlled agencies.

Granting, then, that educational facts and tested knowledge are to play a major rôle in the development of the public schools of the future, and that sound public policy demands that publicly controlled agencies should substantially contribute to the assembling of these facts and this knowledge, the next question is, What form should the publicly controlled research agency take?

Mr. President, I propose that a Federal department of education can best accomplish what needs to be done. I do not suggest that a Federal department of education would do everything. State and local communities should, as at present, continue to maintain educational research bureaus. But the State and local agencies fail conspicuously when they attempt to act as a national clearing house of the results of educational research throughout the Nation. Nor are local agencies able to command the resources or the prestige essential to the con-



duct of nation-wide educational investigations such as are necessary from time to time. These can most successfully be conducted by a national agency such as a department of education.

I am aware of the fact, Mr. President, that certain voices have been raised against the creation of a department of education. We are told that the small Office of Education, until recently called the Bureau of Education, is enough to discharge the Federal Government's obligation to education. To these people I would point out that the Bureau of Education has never been able to secure more than a mere pittance, a few hundred thousand dollars in any one year, for the conduct of educational investigation. This office is a minor division of the Department of the Interior. It can not be expected to secure the facilities which are essential to the adequate discharge of the Nation's obligation in the field of educational research.

Mr. President, when we decided that industry needed the help of the Federal Government in securing facts and conducting research we established the Department of Commerce. We did this in spite of the fact that business is able to spend hundreds of millions on its own initiative for industrial research. The establishment of the Department of Commerce has proved to be a wise investment. Would not a similar investment in an agency to furnish the Nation's million teachers, and 25,000,000 children, with the service and research essential to effective school operation be even a wiser investment?

When we decided to offer agriculture the help of the National Government in solving its problems we established a Department of Agriculture. No one who knows the facts will doubt that the farmer would be in a far sorrier plight than he is to-day if, in addition to his other troubles, he was ignorant of the facts which have been discovered concerning soil fertilization, pest control and eradication, and animal disease. Imagine what would have happened during the past 50 years, as it affects agriculture, if all research efforts had been left to the individual farmer or even to the individual State. Federal leadership was essential to the conduct of the fundamental agriculture research necessary to the solution of the farmers' problem. And so we established a Department of Agriculture.

Now, Mr. President, a similar need has arisen concerning another great national interest—the education of our children. We need a department of education in order that the thousands of local and State school systems may have the service they crave. A department of education is needed to conduct the great national investigations of education which are essential if the schools are to keep up with the rapid advance being made by other phases of our life. We need a department of education in which may be coordinated the various educational activities of the Federal Government—both those already in existence and those to be created in the future. We need a department of education to coordinate the educational research activities of agencies scattered throughout the Nation. No agency can be expected to be as unbiased in doing this as one which is publicly supported.

These great functions can not be performed by a minor bureau submerged in a great Government department, no matter how well-intentioned the employees of that bureau may be, nor how cordial toward education an occasional Secretary of that department may be.

Mr. President, I know that some, from ignorance or for other reasons, have sought to throw dust in our eyes. They maintain that the creation of a department of education for the conduct of educational research means Federal control of the schools. Did the farmer come under the control of the Federal Government when the Department of Agriculture was created?

Those who conjure up the bogey of Federal control forget that the most terrible control—a control which can stifle the development of any great human activity—is the control of ignorance, the control of individual guesswork, opinion, and prejudice. It is only the informed man who is free. Is it of any advantage to a farmer to be so free from the Federal Government that he knows nothing about soil fertilization or plant or animal disease? Does it make the isolated teacher in the local school district free to keep her ignorant of scientific laws which would make her work in the classroom more effective? Or would she really be free if the Federal Government gathered together the results of educational research and placed them within her reach?

I am not afraid, Mr. President, of the control which may come from the wide diffusion of knowledge on any subject. Knowledge does not result in control, it results in intelligent freedom. The creation of a department of education for research in education would not control local schools or local teachers. It would supply them with the facts and tested knowledge so that they would be intelligently free.

Mr. President, the program proposed in this bill, S. 1586, will coordinate the educational activities of the Federal Government. These are now spread through four departments and six independent agencies, with no general directing head.

It will conduct investigations on all educational matters, such as rural education, elementary education, secondary education, higher education, professional education, physical education—including health and recreation—specialized education, training of teachers, immigrant education, adult education, and other phases of the subject. It will study schoolhouse construction and equipment and furnish the benefit of its research to public schools throughout the land. It will investigate school accounting systems and administration for the sake of improvement and efficiency. It will inquire into the training requirements of various businesses, professions, trades, and crafts in connection with courses of study in the public schools. It will aid in equalizing school advantages throughout the country.

These are the things that the proposed department will not and can not do:

It will not take one iota of school control from the municipality or the State. In all matters of administration the State, not the Federal Government, will remain supreme. There will be no attempt to impose the customs or practices of the North upon the South, the East upon the West, or vice versa, in any school questions.

It will not and can not interfere with private and parochial schools.

It will not plunge our schools into politics.

It will not attempt to standardize education.

It will not tend to increase the cost of education but rather to lessen the expense to the taxpayers.

Mr. President, from the foundation of our Government its leaders have recognized the importance of public education as a training for citizenship, and as essential to our existence as a happy and prosperous people.

We may draw from the utterances of George Washington, Thomas Jefferson, and James Madison their firm conviction that public education is a national necessity and a national responsibility.

President Coolidge, in his message to Congress in 1925, cited the appalling figures of illiteracy as a compelling reason for this Federal assistance. He said further:

I do not favor the making of appropriations from the National Treasury to be expended directly on local education, but I do consider it a fundamental requirement of national activity which is worthy of a separate department and a place in the Cabinet.

President Coolidge mentioned illiteracy. It is almost unbelievable that in this country of ours, with its innumerable opportunities, there are 5,000,000 children of school age, over 10 years old, who can neither read nor write.

Now, the department of public education can not take these 5,000,000 youngsters and say, "We command you to be educated or suffer the consequences." But by intelligent guidance of our schools, by assisting localities to expand their educational work the department can be a mighty force in reducing this shocking total.

Our children—all of them, regardless of race, creed, or station in life—are surely entitled to the Federal Government's attention and assistance in education.

Two score great American organizations, including the National Education Association, are supporting this bill. But it should be supported by every patriotic man and woman in the country. The necessity for the creation of this department should be made known to everyone.

I am confident that when all the people know the facts about the bill Congress will meet the public demand, enact it into law, and give to the people the benefits they are now denied.

Mr. BINGHAM. Mr. President, I ask unanimous consent to have printed in the RECORD a quotation from the Secretary of the Interior in regard to the subject about which the Senator from Kansas has addressed the Senate.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

The work of the advisory committee on education is one of the most important with which the Office of Education is currently associated. This advisory committee is made up of a number of the most prominent educators of the United States. Its work will be to make an exhaustive and authoritative study of the activities of the Federal Government in the field of education. It is made up of men of experience and individuality, and nearly every school of thought regarding this problem is represented. Its work should be of the greatest importance in shaping the future trend of the Office of Education and in forming a basis for recommendations to Congress. The cooperation of those invited to serve on this committee has been gratifying.



Independently, a nation-wide survey of secondary education is now in progress under a 3-year appropriation program. The results of this survey will be of great value in presenting to the country the facts of this phase of education.

Local government in education is, in my opinion, the keystone of proper training for citizenship by universal public education. A unique distribution of the taxing power, so that the majority of the taxes have been raised and spent in the local districts and States and only a modest percentage outside of those for war and its after effects has come from the Washington Government, has permitted a wide range of development in the public schools. There have, fortunately, been no national universities. State universities developed after a prolonged period of privately operated and later privately endowed institutions of higher learning. These private institutions have provided a constant stimulation for State institutions of equal rank. The hand of centralized government has been largely kept off the school-teacher and the schoolroom. In some areas absence of a proper sense of self-government, financial disability, and a lack of organizing power have provided some dark spots. A suggestion has been frequently made that a national mechanism should be set up to bring these dark spots up to the average level of the country. Correction of abuses is a poor method of administration. There is a distinct menace in the centralization in the National Government of any large educational scheme. Abnormal power to standardize and crystallize education which would accompany financial power would be more damaging to local aspiration and local self-respect and to State government and State self-respect than any assistance that might come from the funds. We can not rise higher than our source. That source in government with us is local. There is a distinct place for research and the dissemination of information in the administrative side of education in the National Government, but it should not be recognized as an administrative position with large funds at its disposal. A department of education similar to the other departments of the Government is not required. An adequate position for education within a department and with sufficient financial support for its research, survey, and other work is all that is needed. That is the aim of the newly reorganized Office of Education and that will be its position in this department.

The office will give increasing attention to the possibilities of the use of radio in education. To that end a series of conferences have been organized and are proving of value. The radio constitutes an entirely new force, giving practically continent-wide range to the voice and the musical instrument and, hence, to lectures and features not otherwise available to rural classrooms. It seems inevitable that great use must be found for the radio in our public educational system. It will render it possible to choose the most expert lecturers and to have their audiences in many places—homes and classrooms—instead of one hall. It has been used until recently largely for entertainment and amusement, but is passing out of that stage into that of community and domestic utility. Its possibilities in the field of education will be closely followed by the Office of Education and its use further through consideration by the Radio Education Conference.

#### JAPANESE COLONIZATION IN CUBA

Mr. BROUSSARD. Mr. President, I have received a letter from Col. Robert Ewing, of New Orleans, publisher and proprietor of the New Orleans States. The letter refers to negotiations between Japan and Cuba with reference to the colonizing of Japanese in Cuba. In connection with it Colonel Ewing incloses an item and editorial from the New Orleans States. Colonel Ewing is a very prominent citizen of Louisiana and has been a number of times Democratic national committeeman from that State. He has never held office but is a public-spirited man. I should like to have the letter read, and after the reading of it I desire that the article and editorial may be inserted in the RECORD.

The PRESIDING OFFICER (Mr. HEBERT in the chair). Without objection, the clerk will read the letter, as requested.

The legislative clerk read as follows:

NEW ORLEANS STATES,  
New Orleans, La., May 24, 1930.

HON. EDWIN S. BROUSSARD,

United States Senate, Washington, D. C.

MY DEAR SENATOR: I am inclosing a news article which came to the States Wednesday night over the Universal Service (Hearst) wire and an editorial printed on our first page yesterday.

Assuming that the Washington report is true, the fact that Japan and Cuba are in negotiation looking to Japanese colonization of Cuba is a matter of grave importance to the country, to the South, and to Louisiana.

Japan apparently now is attempting to do what she unsuccessfully tried to do some 20 years ago on the Pacific coast. You know that for years she had poured thousands of her labor classes—all trained as soldiers before they left their native land—into the Pacific Coast States, and their competition brought about a situation that put us on the brink of war. It was only through the diplomacy of Taft and the

Washington administration that hostilities were prevented, and Japan finally drew most of her nationals from the coast, and an agreement was reached that put an end to Japanese immigration.

Afterwards Japan undertook colonization in Mexico, causing much irritation from time to time. Now, apparently she is seeking colonization of Cuba on a large scale, and if the treaty is permitted to be ratified, the consequence may be grave, not least to Louisiana and the sugar industry. There has been serious industrial and labor trouble in Cuba, and it is not impossible that eastern American interests have had a finger in this treaty pie, for when I was in Cuba I was told that not less than 85 per cent of the sugar lands there are controlled and owned by Americans, largely New Yorkers. The Japanese can undercut Cuban labor, and if they are imported into Cuba in large numbers, Louisiana's sugar industry may be up against another problem.

However this may be, the heavy colonization of an island at our back door by the Japanese means friction and trouble, and, in my judgment, it is essential that Louisiana should bring all the power she can exert to prevent the approval of the treaty. I hope you will give careful consideration to this matter as one of deep concern to Louisiana and the country at large.

Yours truly,

ROBT. EWING.

The PRESIDING OFFICER. Without objection, the article and editorial referred to by the Senator from Louisiana will be printed in the RECORD.

The article and editorial are as follows:

[From the New Orleans States, May 22, 1930]

#### TREATY TO PERMIT COLONIZATION BY JAPAN IN CUBA

WASHINGTON, May 22. (By Universal).—Cuba and Japan are in final negotiations of a commercial treaty granting most-favored-nation treatment to the entry of Japanese in Cuba and of Cubans in Japan. It was announced to-day.

Foundation for the treaty was laid April 15, when an exchange of notes occurred between Ambassador Orestes Ferrara, of Cuba, and Ambassador Debuchi, of Japan.

The projected treaty will allow reciprocal privileges to citizens of both countries. The text of the notes exchanged said:

"Until a treaty of commerce and navigation may be concluded both governments have agreed to the following: The Cuban and Japanese Governments reciprocally grant treatment of most-favored nation to native Japanese and Cuban citizens, respectively, as regards entering and residing in the territories of Japan and Cuba."

Ambassador Ferrara pointed out to-day that the interests of the United States were protected by the terms of the note. One of the provisos of the agreement is to grant the most-favored-nation treatment to each other, "save the special advantages granted to the United States of America."

The Cuban diplomat, who has long been identified with the national interests of Cuba, even before its independence, declared that the projected treaty in no way violated the provisions of the Platt amendment. He declared that the exchange of notes brought into legal being a fact which had long existed.

The chargé d'affaires of the Japanese embassy declared also that the privileges mentioned in the provisional treaty had always been accorded Japanese citizens in accordance with the provisions of international law.

[Editorial from the New Orleans States, May 23, 1930]

#### VETO THIS TREATY

A Universal dispatch to The States from Washington says that Cuba and Japan are in final negotiations over a treaty granting most-favored-nation treatment to the entry of Japanese in Cuba and Cubans in Japan.

It is stated that the projected treaty will allow reciprocal privileges to citizens of both parties "as regards entering and residing in the territories of Japan and the United States of America."

The ambassadors of the two countries state the interests of the United States are protected by the terms of the tentative agreement so far reached, and that the exchange of notes has only brought into legal being a fact that has long existed.

That is a question for the United States itself to decide.

Under the Platt amendment, following the victory of the United States in the war with Spain, which was fought by this country to free Cuba from Spanish rule, the United States, besides other advantages provided, including the naval base at Guantanamo, reserved to itself the right to supervise—and to veto if its interests required—any treaties between Cuba and foreign governments.

It is of the highest importance that the Washington Government should exercise that right in respect of this Cuban-Japanese treaty.

Under agreement between the United States and Japan the doors have been shut to immigration from one country to the other. That agreement was brought about in the interest of peace between the two

nations. It was achieved only after acute and threatening differences between them.

Why should Cuba be permitted to enter into a treaty with Japan different from that between Japan and the United States—a treaty palpably unilateral, since few if any Cubans will ever seek entrance to and residence in Japan?

Cuba lies immediately off our shores. It comes within the scope of the Monroe doctrine. We can no more afford to have it make treaties that might in their operation menace the interests of the United States than Great Britain can afford to have any foreign government make such treaty with the Irish Free State.

We have the friendliest feelings toward the Japanese nation and the Japanese people. We want them to prosper and keep the place in the sun they have won. Farthest from our thoughts is any desire to see any breach in our relations with them that might lead to war.

But it is not for the well-being of the United States that the doors of Cuba should be thrown open to unrestricted Japanese colonization. Nor to that of Japan or Cuba. For the inevitable result would be a recrudescence of the feeling that had such threatening possibilities some years ago and which has been allayed, if it has not completely died out, by reason of the understandings reached between Japan and the United States.

That feeling should not be revived.

#### THE MERCHANT MARINE

The Senate resumed the consideration of the bill (H. R. 9592) to amend section 407 of the merchant marine act, 1928.

The PRESIDING OFFICER. The question is on the amendment proposed by the Senator from Tennessee [Mr. McKellar]. Mr. McKellar. I suggest the absence of a quorum.

The PRESIDING OFFICER. The absence of a quorum being suggested, the clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Barkley	Fess	McNary	Sheppard
Blaine	Harris	Norris	Steiwer
Brock	Hebert	Oddie	Sullivan
Broussard	Heflin	Overman	Vandenberg
Capper	Johnson	Ransdell	
Connally	Jones	Reed	
Couzens	McKellar	Robinson, Ark.	

The PRESIDING OFFICER. Twenty-five Senators having answered to their names, a quorum is not present. The clerk will call the names of the absent Senators.

The legislative clerk called the names of the absent Senators, and Mr. GEORGE, Mr. HAYDEN, Mr. PITTMAN, Mr. WALSH of Montana, and Mr. WATSON answered to their names when called.

Mr. BORAH, Mr. FRAZIER, Mr. GLENN, Mr. HATFIELD, Mr. McMASTER, Mr. ROESION of Kentucky, and Mr. TRAMMELL entered the Chamber and answered to their names.

The PRESIDING OFFICER. Thirty-seven Senators having answered to their names, there is still not a quorum present.

Mr. McNARY. Mr. President, after a rather hasty canvass, it seems impossible to develop a quorum this afternoon, and, after conferring with the Senator from Arkansas [Mr. Robinson], I ask that the Senate recess until Monday, conformably to the unanimous-consent agreement.

Mr. REED. Mr. President, pending action on that request, would it not be better to vacate the call for a quorum and have a brief executive session?

Mr. McNARY. We have had one executive session already to-day. Has the Senator something else in mind?

Mr. REED. I have been compelled to be absent for the last couple of hours, and I have a very important nomination from the Committee on Military Affairs.

Mr. McNARY. I will withhold the motion, if it be in order.

Mr. McKELLAR. Mr. President, I made the suggestion of the absence of a quorum, and, if it is proper under the rules, I will ask unanimous consent that the call be vacated.

The VICE PRESIDENT. Is there objection to the request that the call for a quorum be vacated?

Mr. ROBINSON of Arkansas. Mr. President, I think that would establish a very dangerous precedent. I doubt whether the Senate has the power, after the absence of a quorum has been disclosed, then to transact business. I am in sympathy with the request of the Senator from Pennsylvania and also with the attitude of the Senator from Oregon, but I do not think the call should be vacated.

Mr. McKELLAR. I think the Senator from Arkansas is correct.

#### RECESS

Mr. McNARY. I move that the Senate take a recess.

The motion was agreed to; and (at 3 o'clock and 30 minutes p. m.) the Senate took a recess, the recess being, under the order previously entered, until Monday, July 2, 1930, at 12 o'clock meridian.

#### NOMINATIONS

*Executive nominations received by the Senate May 29, 1930*

##### ASSISTANT SECRETARY OF STATE

William R. Castle, jr., of the District of Columbia, to be an Assistant Secretary of State.

##### ASSISTANT COMMISSIONER OF EDUCATION

Miss Bess Goodykoontz, of Iowa, to be Assistant Commissioner of Education. Position created by act approved May 26, 1930.

##### COLLECTOR OF CUSTOMS

Joseph L. Crupper, of Alexandria, Va., to be collector of customs for customs collection district No. 14, with headquarters at Norfolk, Va. (Reappointment.)

##### APPOINTMENT, BY TRANSFER, IN THE ARMY

##### TO ORDNANCE DEPARTMENT

First Lieut. Edwin Henry Harrison, Infantry (detailed in Ordnance Department), with rank from March 10, 1929.

##### PROMOTIONS IN THE ARMY

##### To be colonel

Lieut. Col. William Albert Covington, Coast Artillery Corps, from May 27, 1930.

##### To be lieutenant colonels

Maj. Edgar Mason Whiting, Cavalry, from May 25, 1930.  
Maj. William Fletcher Sharp, Field Artillery, from May 27, 1930.

##### To be majors

Capt. Harvey Cecil Kearney, Infantry, from May 25, 1930.  
Capt. William Henry McCutcheon, jr., Infantry, from May 27, 1930.

##### To be captains

First Lieut. John James Downing, Signal Corps, from May 21, 1930.  
First Lieut. John Martin Clark, Air Corps, from May 25, 1930.  
First Lieut. Rowland Charles William Blessley, Air Corps, from May 27, 1930.

##### To be first lieutenants

Second Lieut. Elmer Theodore Rundquist, Air Corps, from May 21, 1930.  
Second Lieut. Raymond Charles Lane, Infantry, from May 25, 1930.  
Second Lieut. David Marshall Ramsay, Air Corps, from May 27, 1930.

##### MEDICAL CORPS

##### To be lieutenant colonels

Maj. Webb Earl Cooper, Medical Corps, from May 23, 1930.  
Maj. Thomas Ludlow Ferenbaugh, Medical Corps, from May 24, 1930.  
Maj. George William Cook, Medical Corps, from May 24, 1930.  
Maj. William Lloyd Sheep, Medical Corps, from May 25, 1930.  
Maj. Edgar Clyde Jones, Medical Corps, from May 26, 1930.  
Maj. Arthur Osman Davis, Medical Corps, from May 27, 1930.  
Maj. Floyd Kramer, Medical Corps, from May 28, 1930.

##### DENTAL CORPS

##### To be major

Capt. James Barrett Mockbee, Dental Corps, from May 22, 1930.

##### PROMOTIONS IN THE NAVY

Midshipman Robert E. Hill to be a second lieutenant in the Marine Corps from the 5th day of June, 1930.

Midshipman Edward P. Dörner to be an ensign in the Navy from the 5th day of June, 1930, to correct his status as previously nominated and confirmed.

#### CONFIRMATIONS

*Executive nominations confirmed by the Senate May 29, 1930*

##### PROMOTIONS AND APPOINTMENTS IN THE NAVY

Charles J. Moore to be commander.  
Thomas Moran to be commander.  
Frederick J. Eckhoff to be lieutenant.  
Herbert E. Berger to be lieutenant.  
James G. Sampson to be lieutenant.  
Harper D. Scrymgeour to be lieutenant (junior grade).  
Ammen Farenholt to be medical director.  
Leslie R. Corbin to be paymaster.  
Joseph L. Bird to be assistant naval constructor.  
John B. Smyth to be assistant naval constructor.  
Walter J. Chambers to be chief electrician.  
Gerald C. Oaks to be chief carpenter.  
Oakleigh W. Robinson to be ensign.



*To be assistant surgeons*

Benjamin E. Twitchell, of Illinois.  
 Charles L. Ferguson, of North Carolina.  
 Arthur W. Eaton, jr., of Colorado.  
 Cecil H. Coggins, of Pennsylvania.  
 William M. Silliphant, of California.  
 Robert W. Babione, of Ohio.  
 Richard C. Young, of Connecticut.  
 Allan S. Chrisman, of North Carolina.  
 Calvin B. Galloway, of Michigan.  
 Orville W. Cole, of Oklahoma.  
 James E. Reeves, of Georgia.  
 Frank P. Kreuz, jr., of Michigan.  
 Burr Dalton, of Minnesota.  
 Walter A. Coole, of Texas.  
 James R. Reid, jr., of South Carolina.  
 Homer C. Pearson, of Georgia.  
 Eric D. Pearson, of Oregon.  
 Austin J. Walter, of West Virginia.  
 Eugene V. Jobe, of Mississippi.  
 Charles V. Hatchette, of Alabama.  
 Albert H. Staderman, of Ohio.  
 Paul M. Crossland, of Minnesota.  
 James E. Amiss, of Virginia.  
 Alton C. Abernethy, of Oklahoma.  
 Earl F. Evans, of Louisiana.  
 Edward W. Jones, of California.  
 Charles B. Fulghum, of Georgia.  
 Clifford D. Hamrick, of West Virginia.  
 Walter H. Schwartz, of Iowa.  
 Julius E. West, of Virginia.  
 John L. Cardwell, of District of Columbia.  
 Armand J. Pereyra, of California.  
 George N. Raines, of Mississippi.  
 David N. McInturff, jr., of Oregon.  
 George W. Wright, of Nebraska.  
 William V. Clark, of Alabama.  
 Edward T. Knowles, of California.  
 David M. Segrest, of Mississippi.  
 Harold W. Lashier, of California.  
 William A. Deckert, of Maryland.  
 David H. Davis, of Kansas.  
 Lyle A. Newton, of Nebraska.  
 James L. Holland, of Mississippi.  
 George F. Blodgett, of Arkansas.  
 John C. Troxel, of Indiana.  
 Judson A. Millspaugh, of New York.  
 Arthur J. Horton, of New York.  
 Alfred W. Eyer, of Delaware.  
 John T. Smith, of New York.  
 Martin V. Brown, of Illinois.  
 Frank J. Gillette, of Wisconsin.  
 Robert D. Crawford, jr., of Alabama.  
 Joseph V. Land, of Illinois.  
 Cecil L. Andrews, of Indiana.  
 Walter L. Taylor, of California.  
 Oran W. Chenault, of Arkansas.  
 David C. Gaede, of Illinois.  
 Robert A. Cooper, of Minnesota.  
 Francis A. Brunson, of South Carolina.  
 Cecil D. Riggs, of Utah.  
 James W. Shumate, of Arkansas.  
 Jerry T. Miser, of New Mexico.  
 Phillip S. McLennan, of Georgia.  
 Edwin B. Coyl, of California.  
 Ralph K. Hoch, of Delaware.  
 Freeman C. Harris, of Illinois.  
 Thomas L. Allman, of Virginia.  
 Raphael L. Weir, of Illinois.  
 Edgar L. Neffen, of West Virginia.  
 Otto W. Wickstrom, of Indiana.  
 Sol B. Estes, of Texas.  
 Elmer L. Caveny, of Georgia.  
 Gordon H. Ekblad, of Minnesota.  
 John A. Workman, of Pennsylvania.  
 Albert C. Traweck, jr., of Oklahoma.  
 Albert H. Held, of Indiana.  
 Ernest C. Aulls, of Florida.  
 Robert C. Boyden, of North Dakota.  
 Robert C. Douthat, of Missouri.  
 Robert D. Knapp, of Montana.  
 Edward P. Madden, of Colorado.  
 Clifford F. Storey, of Louisiana.  
 Julius C. Early, jr., of North Carolina.

*To be paymaster*

Harry M. Mason.

*To be chief gunner*

Robert D. Carmichael.

## MARINE CORPS

*To be second lieutenants*

Nicholas J. Pusel.

Charles H. Hayes.

James M. Daly.

Harold K. Feiock.

## POSTMASTERS

## ALABAMA

Alma S. Ballow, Faunsdale.  
 James W. Maddox, Elba.  
 Thomas H. Stephens, Gadsden.  
 Alberta Alexander, Geneva.  
 Harvey P. Houk, Gurley.  
 Noah W. Platt, Headland.

## ALASKA

Emil O. Bergman, Fort Yukon.  
 Elbert E. Blackmar, Ketchikan.  
 John W. Stedman, Wrangell.

## ARKANSAS

William I. Fish, Dumas.  
 Isaac J. Morris, Mountain Home.  
 Robert P. Jorden, Norman.  
 Lela L. Henderson, Waldron.

## CALIFORNIA

Julia A. Givins, Ferndale.  
 Ralph H. Read, Middletown.  
 Harold J. McCurry, Sacramento.  
 Eugene S. Francioni, Soledad.

## COLORADO

Arthur L. Perry, Hotchkiss.  
 Jones C. Flint, Igancio.  
 Annie Hurlburt, Norwood.

## CONNECTICUT

Elbert W. Scobie, Orange.

## DELAWARE

Elizabeth P. Clayton, New Castle.

## FLORIDA

Edward N. Winslow, Cocoa.  
 Thomas S. McNicol, Hollywood.  
 Charles S. Williams, Key West.  
 Hattie M. Flagg, Lake Wales.  
 Mamie E. Barnes, Plant City.  
 Leland M. Chubb, Winter Park.

## GEORGIA

Maggie Edwards, Canton.  
 Jefferson B. Hatchett, Greenville.  
 Minnie M. Roberts, Pinehurst.  
 Charles H. Travis, Senoia.  
 Lavonia L. Mathis, Warm Springs.  
 Wilson S. Williams, Woodbury.

## HAWAII

Manuel S. Botelho, Honokaa.

## IDAHO

Paul Bulfinch, American Falls.  
 Rose J. Hamacher, Spirit Lake.

## ILLINOIS

Charles E. Olds, Albany.  
 Newton Arbaugh, Carmi.  
 Jacob H. Hill, Decatur.  
 William L. McKenzie, Elizabeth.  
 Harlo F. Selby, Golden.  
 William L. Bauman, Iuka.  
 Mack Sparks, Mattoon.  
 Harold H. Hitzeman, Palatine.  
 John L. Thomas, Pleasant Hill.  
 Leonard Ott, Prophetstown.  
 Richard A. Full, Roanoke.  
 Forrest E. Mattix, St. Elmo.  
 Elisabeth Widicus, St. Jacob.  
 John E. Hughes, Toledo.  
 August Treu, Villa Park.  
 Mancel Talcott, Waukegan.

## INDIANA

Ernest W. Showalter, Brookville.  
 Charles F. Porter, Hagerstown.

Frank B. Husted, Liberty.  
Henry Suhre, Oldenburg.

## KANSAS

Minnie Temple, Bennington.  
Charles B. Doolittle, Centerville.

## LOUISIANA

Anna S. Miller, Destrehan.

## MAINE

Ethel M. McAllister, Andover.  
Cynthia R. Clement, Seal Harbor.  
Carroll M. Richardson, Westbrook.

## MASSACHUSETTS

Edward L. Diamond, Easthampton.  
Minot F. Inman, Foxboro.  
Richard C. Taft, Oxford.

## MICHIGAN

Gordon L. Anderson, Armada.  
Lewis E. Kephart, Berrien Springs.  
Albert W. Lee, Britton.  
Bert E. Van Auken, Morley.

## MISSISSIPPI

Preston C. Lewis, Aberdeen.  
Leonard C. Gibson, Crawford.  
Herbert B. Miller, Gloster.  
Emmett L. Vanlandingham, McCool.  
Blanche Gallaspy, Pelahatchee.  
Charles A. Barnette, Silver Creek.

## NEBRASKA

Oscar L. Lindgren, Bladen.  
Carl J. Rasmussen, Elwood.  
Mary E. Krisl, Milligan.  
Floyd Buchanan, Silver Creek.

## NEVADA

Coverton K. Ryerse, Las Vegas.

## NEW HAMPSHIRE

Charles D. Grant, Wolfeboro.

## NEW JERSEY

Harry M. Riddle, Asbury.  
Henry T. Ackerman, Keansburg.  
Walter T. Stewart, Mount Holly.  
Joseph G. Endres, Seaside Heights.  
Mary MacG. Smith, Westwood.

## NEW YORK

Eugene Velsor, Amityville.  
George W. Steele, Brockport.  
Howard A. McMurray, Deposit.  
Fred S. Tripp, Guilford.  
Everett S. Turner, Haverstraw.  
Jul Johnson, Kinderhook.  
Sadie E. Childs, Lewiston.  
Walter E. Steves, New Rochelle.  
J. Frank Engelbert, Nichols.  
Eugene H. Ireland, Palatine Bridge.  
Lottie Allen, Perrysburg.  
John W. Hedges, Pine Plains.  
Frank P. Harrison, Roslyn.

## NORTH CAROLINA

John W. Gilliam, Sanford.

## NORTH DAKOTA

Gustav E. Gunderson, Antler.  
Kathryn Savage, Braddock.  
Fredrich A. Rettke, Niagara.  
Cornelius Roverdink, Strasburg.  
Joseph J. Simon, Thompson.

## OHIO

James E. Davis, Belmont.  
Roy G. Sutherin, East Palestine.  
Joseph E. Walker, Greenfield.  
Francis M. Birdsall, Hicksville.  
John W. Switzer, Ohio City.  
Emily C. Crowe, Windham.

## OKLAHOMA

Oliver T. Robinson, Britton.  
Ida White, Konawa.

## OREGON

Elizabeth E. Johnson, Gresham.  
John N. Williamson, Prineville.

## PENNSYLVANIA

Otho H. Tavenner, Berwyn.  
Ada S. Hollinger, Hanover.  
John K. Ellis, Jeddo.  
DeWitt C. Vail, New Milford.

## PORTO RICO

America R. de Graciani, Ensenada.  
Rafael del Valle, San Juan.

## TENNESSEE

William R. Robinson, Charlotte.  
Emmett V. Foster, Culleoka.  
Columbus L. Parrish, Henderson.  
William S. Tune, Shelbyville.

## TEXAS

James T. Gray, Camp Wood.  
Zettie Kelley, Diboll.  
Arthur R. Franke, Goliad.  
Roy B. Nichols, Houston.  
Minnie S. Parish, Huntsville.  
Milton S. Fenner, Karnes City.  
Richard T. Polk, Killeen.  
Alice Crow, Kountze.  
Homer Howard, Lockney.  
Myrtle L. Hurley, Robert Lee.  
Frank B. Hall, San Saba.  
Fred W. Hines, Wiergate.

## VIRGINIA

Annie G. Davey, Evington.  
William W. Middleton, Mount Jackson.  
Mollie H. Gettle, Rustburg.  
Ernest H. Croshaw, Stony Creek.  
Frank L. Schofield, University of Richmond.

## WASHINGTON

Tyrah D. Logsdon, Endicott.  
Jay Faris, Grandview.  
Walter J. Hunziker, Langley.

## WEST VIRGINIA

Lydia P. Miller, Dorothy.  
Clarence E. Brazeal, Maybeury.  
William C. Bishop, Scarbro.  
Delta D. Buck, Sistersville.  
Florence Bills, Williamstown.  
Mamie H. Barr, Winfield.

## WYOMING

Forest H. Gurney, Buffalo.

## HOUSE OF REPRESENTATIVES

THURSDAY, May 29, 1930

The House met at 12 o'clock noon.

Rev. Francis J. Hurney, pastor of the Immaculate Conception Church of Washington, D. C., offered the following prayer:

We pray Thee, O God of might, wisdom, and justice, through whom authority is rightly administered, laws are enacted, and judgment decreed, assist with Thy Holy Spirit of counsel and fortitude these men here gathered for the welfare of the Nation.

Let the light of Thy divine wisdom direct their deliberations and shine forth in all the proceedings and laws framed for our rule and government, so that they may tend to the preservation of peace, the promotion of national happiness, the increase of industry, sobriety, and useful knowledge, and may perpetuate to us the blessings of equal liberty.

We recommend likewise to Thy unbounded mercy all our brethren and fellow citizens throughout these United States, that they may be blessed in the knowledge and sanctified in the observance of Thy most holy law, that they may be preserved in union and in that peace which the world can not give, and after enjoying the blessings of this life be admitted to those which are eternal. Amen.

The Journal of the proceedings of yesterday was read and approved.

## MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its principal clerk, announced that the Senate had passed a bill, a joint resolution, and a concurrent resolution of the following titles, in which the concurrence of the House is requested:

S. 4577. An act to extend the time for completing the construction of a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg.;



S. J. Res. 182. Joint resolution prohibiting location or erection of any wharf or dock or artificial fill or bulkhead or other structure on the shores or in the waters of the Potomac River within the District of Columbia without the approval of the Commissioners of the District of Columbia and the Director of Public Buildings and Public Parks of the National Capital; and

S. Con. Res. 29. Concurrent resolution to print and bind the proceedings in Congress, together with the proceedings at the unveiling in Statuary Hall, of the statue of Gen. John Campbell Greenway, presented by the State of Arizona.

The message also announced that the Senate had passed without amendment a bill of the House of the following title:

H. R. 9439. An act to extend the times for commencing and completing the construction of a bridge across the Kanawha River between Henderson and Point Pleasant, W. Va.

The message also announced that the Senate disagrees to the amendments of the House to the joint resolution (S. J. Res. 49) entitled "Joint resolution to provide for the national defense by the creation of a corporation for the operation of the Government properties at and near Muscle Shoals in the State of Alabama, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McNARY, Mr. NORRIS, and Mr. SMITH to be the conferees on the part of the Senate.

The message also announced that the Senate had passed with amendments, in which the concurrence of the House is requested, a bill of the House of the following title:

H. R. 12236. An act making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1931, and for other purposes.

The message also announced that the Senate agrees to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to bills of the House of the following titles:

H. R. 9806. An act to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States; and

H. R. 12013. An act to revise and equalize the rate of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows of such soldiers, sailors, and marines, and granting pensions and increase of pensions in certain cases.

#### CONFERENCE REPORT—CIVIL WAR PENSIONS

Mr. NELSON of Wisconsin. Mr. Speaker, I present for printing a conference report on the bill (H. R. 12013) to revise and equalize the rate of pension to certain soldiers, sailors, and marines of the Civil War, to certain widows, former widows of such soldiers, sailors, and marines, and granting pensions and increase of pensions in certain cases.

#### ADDRESS OF HON. ANTHONY J. GRIFFIN, OF NEW YORK

Mr. GARNER. Mr. Speaker, I ask unanimous consent that my colleague from New York [Mr. GRIFFIN] have permission to extend his remarks in the RECORD by inserting a speech he made in New York last Sunday.

The SPEAKER. The gentleman from Texas asks unanimous consent that the gentleman from New York [Mr. GRIFFIN] may have permission to extend his remarks in the RECORD by printing an address he delivered in New York last Sunday. Is there objection?

There was no objection.

Mr. GRIFFIN. Mr. Speaker, I herewith submit the address made by me to the veterans of three wars at the World War Monument, Graham Square, Bronx, New York City, on Sunday, May 25, 1930:

#### MEMORIAL DAY, 1930—BEST GUARANTY OF WORLD PEACE IS JUSTICE TO SUBJECT RACES

Mr. Chairman, comrades, and friends, faithful to the obligations of a brotherhood as close and as firm as in any human relationship, the comrades of three wars have been accustomed, on this anniversary, to pay a solemn tribute to the memory of those loyal soldiers of our Republic who have answered the final summons and passed on to their eternal abode.

In each recurring year, we have watched with tender solicitude the thinning ranks of those brave men who fought under President Lincoln to maintain the integrity of our Federal Union.

One by one, they are dropping out of ranks, but not to fall behind—not to loiter, not to retreat. No! those were words not within their lexicon. They have answered the call of the Great Commander in Chief of all. They have only gone forward as the advance guard to clear the way and open wide the path on which we are to follow.

LXXII—619

Let us keep alive their memory and never fail each year to recall their noble example and their patriotic sacrifice.

Thirty-two years have passed into history since this Nation took up the cause of Cuba. That is only a brief span in the course of human events, but a long, long time in the life of man.

With thinning ranks also our comrades of the Spanish-American War come each year to pay our tribute of respect to departed comrades and renew the pledges of our devotion to our country.

We, too, have our advance guard in the spirit realms, who are clearing the way and making wide the path for us to follow.

To the veterans of the World War I need only to say that you are living up to the noblest traditions of our great country. You fought the great fight and bore the rigors of war with a fortitude unsurpassed in our history. Our country is not only grateful in words but has expressed its gratitude in deeds. In no other war in our life as a nation were the services and sacrifices of our soldiers so promptly recognized and rewarded. The soldiers of the American Revolution were not pensioned—and then only in a most niggardly fashion—until many years after. The soldiers of the Civil War had to wait nearly 20 years before a reluctant Congress granted them appropriate recognition.

The veterans of the Spanish-American War received no substantial recognition until our cause was joined to yours. It is candid truth to say that the veterans of the Spanish-American War would never have received their just deserts were it not for the fact that 4,000,000 veterans of the World War linked their cause with ours and impressed the country not only with the value of the soldier in the life of the Nation but with his importance as a political factor.

You fought a war of freedom—as much so as in any war in our history. You fought for high ideals—to keep the world safe for democracy. The conflict in which you engaged released the shackles that had bound many smaller nations in an intolerable bondage. If the World War had no other effect, it emphasized the great truth that only "right makes might" and that no nation shall hold in thralldom any other people against their will.

Occasions such as this are valueless if we fail to think, not only of our own future, but of that of our country. Having in mind that our intervention in Cuba was a purely idealistic act, that we kept the faith and enabled the island republic to take its place among the sovereign nations of the world, we ought not to forget that we owe a similar obligation to the Philippines.

I do not wish to raise a controversial issue upon an occasion such as this, but I believe that the honor and all of the sacred traditions of this country are at stake. It has never been the policy of this Nation to acquire colonies or maintain a sovereignty over other races which it is conceded can never become self-governing units in our Federal Union.

This Nation must be kept homogeneous, but, above and beyond all, we must keep our word and observe our pledges. We have pledged ourselves to recognize the sovereignty of the Philippines as soon as they were ready for self-government. I think that time is at hand. We should not risk our national reputation by keeping unwilling people in subjection for mere commercial aggrandizement. It is not in harmony with our traditions as a nation and can not help but be an endless source of anxiety and trouble.

It is a matter of supreme importance to the veterans of the Spanish-American War that our Nation shall keep the faith.

The long-continued custody of the Philippines means keeping alive danger points of contact with other nations. Within recent months this thought has come to me with striking force: If we mind our own business we will have no need of peace pacts or naval disarmament agreements! We can show the world in no better way our sincerity in the cause of justice and world peace than by releasing from our domination distant colonies and by allowing them to control their own destinies. The best guaranty of world peace is justice to subject races.

Gatherings such as these may be solemn, but they are not sad. We take a pride in our heroes. We cherish their long friendship, we regret their passing, but we know they have only gone forward to join the advance guard that clears the way and makes the path straight for us to follow.

With this thought in mind, let us renew our faith in the sacred traditions of our country and pledge ourselves to the task of upholding, so long as we shall be spared, its lofty ideals of justice and liberty.

#### MINORITY VIEWS

Mr. LaGUARDIA. Mr. Speaker, I ask unanimous consent to have until midnight to file minority views on H. R. 9937, a bill to provide for summary prosecution of slight or casual violations of the national prohibition act.

The SPEAKER. The gentleman from New York asks unanimous consent to have until midnight to file minority views on House bill 9937. Is there objection?

There was no objection.

#### A BIT OF PROPAGANDA EXPOSED

Mr. PITTENGER. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD on Senate bill 2498 and

to include therein an interview I gave out on May 24 regarding the same.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to extend his own remarks in the RECORD on Senate bill 2498, and to include an interview given out by himself. Is there objection?

There was no objection.

Mr. PITTINGER. Mr. Speaker, reprints from a magazine article have just been distributed to the Members of the House in connection with S. 2498 and its companion bill, H. R. 6981. While this is just propaganda, I do not intend to ignore it. If the Members of the House will refer to the CONGRESSIONAL RECORD for May 19, 1930, you will find that I discussed the proposed legislation fully. I stated that it affected only my district, though introduced by a Member from another district, and I demonstrated that the proponents of the legislation were unfair and misleading.

When I noted this new development of circularizing the Members I again realized that Ernest Oberholtzer, the Minneapolis lobbyist, was busy, for the article in question bears his earmarks and is written in his usual clever and misleading fashion. Like Cleopatra, he possesses a great power to charm.

He appears in the rôle of the defender of the public, the beauty of whose lakelands is about to be ruined at once. He would have you believe that rejection of his program would result in permitting exploitation for private gain. His motives alone are pure and undefiled. So he would have it necessarily follow that all others are false and dangerous. This is all pleasing to the ear, but entirely misleading. The propaganda overlooks (in fact, it has to ignore) the bill which I introduced, H. R. 8968, which will accomplish the same purposes of the Minneapolis legislation. The reasons for its introduction are in no way obscure. Any claims to the contrary are false. The bill was introduced at the request of the people of the district affected. Mr. Oberholtzer would ignore entirely their rights to be heard in the matter.

On May 24, 1930, I issued a statement which correctly gives the present status of the legislative program. This statement appeared in the Duluth Herald for that date, and is as follows:

Prospects for the passage of the Shipstead-Nolan bill at this session of Congress appear very doubtful, due to the failure of the proponents of the measure to agree to cut down the area to correspond to the Pittenger bill.

It was learned yesterday that Congressman PITTINGER made a definite offer to compromise the dispute with Congressman NOLAN and withdraw his parliamentary objections to the bill, provided that the Shipstead-Nolan bill would be amended to conform to the restricted area in the Pittenger bill. Congressman PITTINGER further offered to consent to an amendment that would bring all Government-owned lands within the Superior National Forest and outside the restricted area of the Pittenger bill under the provisions of the Shipstead-Nolan bill.

Following the conference Mr. PITTINGER stated that Congressman NOLAN advised him definitely that he was without authority to agree to any compromise or amendments without the sanction of the proponents of the Shipstead-Nolan measure, and that he did not have their consent. Mr. PITTINGER endeavored to have Ernest Oberholtzer, who has been active in working for the bill during the session, called into conference in an effort to come to an agreement. It was claimed that Oberholtzer left town a few days ago and has not returned to Washington.

The parliamentary battle over this legislation has been carried on vigorously ever since the Shipstead bill passed the Senate by unanimous consent some time ago. Efforts were made in the House to have the Rules Committee grant a rule to give the bill the right of way in the House, and to ignore the Pittenger amendment. This plan was attacked by the eighth district Congressman, and apparently with good results, for the Rules Committee has never granted the rule. The proponents of the Shipstead-Nolan measure then endeavored to have Speaker LONGWORTH give the bill a privileged status, and for the past 10 days Congressman PITTINGER has charged that "powerful influences" have been at work along these lines. It developed yesterday that Speaker LONGWORTH had suggested to the Congressmen interested that they come to some compromise agreement, and stated unofficially that the Senate and House bills, not being identical, could not be given a privileged status.

In discussing the matter Congressman PITTINGER said: "I have offered to compromise the dispute with Congressman NOLAN, at the request of the people of the eighth district interested in this matter. My proposal was an amendment to the Shipstead-Nolan bill for the restricted area I have advocated, and further providing that the shore lines of all lakes within the Superior National Forest should come within the terms of the bill. Mr. NOLAN claimed to be without authority to act, and I advised him that I would be glad to confer with

the proponents of his measure. I have been informed that parties in my district are agreeable to this compromise arrangement, and the responsibility for the failure of this compromise plan rests somewhere, either in Washington or Minneapolis, with the proponents of the measure, who have seen fit to refuse to come forward and confer on the proposition. They have failed entirely to confer with me on this matter, or to grant Congressman NOLAN authority to do so. Their methods are responsible for the delay."

#### IMMIGRATION AND EMIGRATION

Mr. FRANK M. RAMEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by having printed therein a letter to me from the United States Department of Labor, and also certain statistics regarding immigration and emigration to and from the United States during the last five years.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. FRANK M. RAMEY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by having printed therein a letter to me from the United States Department of Labor, and also certain statistics regarding immigration and emigration to and from the United States during the last five years.

UNITED STATES DEPARTMENT OF LABOR,  
BUREAU OF IMMIGRATION,  
Washington, March 11, 1930.

HON. FRANK M. RAMEY,

Member of Congress, House of Representatives,

Washington, D. C.

MY DEAR CONGRESSMAN RAMEY: In compliance with your recent request, I take pleasure in transmitting herewith two tables, one covering the number of immigrant aliens admitted to the United States during each of the last five fiscal years, 1925 to 1929, by countries of last permanent residence, and the other covering United States citizens departed during the same years by countries of intended future permanent residence. There is also inclosed a table showing how the immigrants admitted during said years were recorded by race or people.

Very truly yours,

HARRY E. HULL,  
Commissioner General.

Immigrant aliens admitted to the United States during the fiscal years ended June 30, 1925 to 1929, by years, and by race or people

Race or people	Fiscal year ended June 30—					Total
	1925	1926	1927	1928	1929	
All races.....	294,314	304,488	335,175	307,255	279,678	1,520,910
African (black).....	791	894	955	956	1,254	4,850
Armenian.....	576	741	983	1,062	929	4,291
Bohemian and Moravian.....	1,833	2,494	2,406	1,248	1,427	9,408
Bulgarian, Serbian, and Montenegrin.....	418	532	600	531	685	2,766
Chinese.....	1,721	1,375	1,051	931	1,071	6,149
Croatian and Slovenian.....	520	692	821	938	1,076	4,046
Cuban.....	912	1,476	1,919	2,058	2,141	8,506
Dalmatian, Bosnian, and Herzegovinian.....	51	75	69	95	119	409
Dutch and Flemish.....	3,189	3,156	3,125	2,880	2,949	15,299
East Indian.....	45	50	51	38	55	240
English.....	50,580	44,208	40,165	33,597	29,845	198,394
Finnish.....	689	674	629	544	509	3,045
French.....	23,240	22,237	19,313	17,963	16,957	99,710
German.....	54,215	58,675	56,587	54,157	55,631	279,265
Greek.....	1,068	1,385	2,557	2,818	3,025	10,883
Hebrew.....	10,292	10,267	11,483	11,639	12,479	56,160
Irish.....	42,661	42,475	44,726	38,193	30,922	198,977
Italian (north).....	1,784	1,486	2,637	2,653	2,631	11,191
Italian (south).....	5,512	7,888	15,892	16,087	16,452	61,831
Japanese.....	682	598	680	522	716	3,178
Korean.....	26	52	47	22	49	196
Lithuanian.....	329	393	549	326	409	2,006
Magyar.....	885	1,076	1,049	1,112	1,342	5,464
Mexican.....	32,378	42,638	66,766	57,765	38,980	238,527
Pacific Islander.....	3	2	8	2	4	19
Polish.....	3,178	3,175	4,249	4,238	3,507	18,347
Portuguese.....	720	793	843	844	853	4,053
Rumanian.....	391	319	422	443	585	2,160
Russian.....	1,225	938	1,249	1,249	1,352	6,013
Ruthenian (Russniak).....	667	505	445	411	532	2,560
Scandinavian (Norwegians, Danes, and Swedes).....	20,146	19,418	19,235	18,664	19,428	96,891
Scotch.....	27,503	27,298	25,544	23,177	21,926	125,448
Slovak.....	620	594	1,017	2,197	2,443	6,811
Slovenian.....	588	699	1,065	1,018	899	4,269
Spanish-American.....	2,349	2,519	3,185	3,490	3,259	14,802
Syrian.....	450	488	684	613	632	2,867
Turkish.....	87	197	112	143	127	666
Welsh.....	1,167	1,314	1,300	1,723	1,659	7,163
West Indian (except Cuban).....	325	373	381	394	380	1,853
Other peoples.....	498	381	396	484	438	2,197



Immigrant aliens admitted to the United States during the fiscal years ended June 30, 1925 to 1929, by years, and by countries of last permanent residence

Countries of last permanent residence	Fiscal year ended June 30—					Total
	1925	1926	1927	1928	1929	
All countries.....	294,314	04,488	335,175	307,255	279,678	1,520,910
Europe, total.....	148,306	155,562	168,368	158,513	158,598	789,407
Albania.....	79	158	243	263	329	1,072
Austria.....	899	1,102	1,016	1,277	1,256	5,550
Belgium.....	726	718	764	698	669	3,575
Bulgaria.....	140	175	222	158	215	910
Czechoslovakia.....	2,462	2,953	3,540	3,571	4,411	16,937
Danzig, Free City of.....	243	210	223	224	204	1,104
Denmark.....	2,444	2,549	2,505	2,473	2,525	12,496
Estonia.....	131	132	139	131	141	679
Finland.....	480	491	438	473	416	2,298
France, including Corsica.....	3,906	4,181	4,405	4,438	4,428	21,558
Germany.....	46,068	50,421	48,513	45,778	46,751	237,531
Great Britain:						
England.....	13,897	10,599	9,990	7,338	8,008	49,832
Scotland.....	12,378	13,661	12,611	11,085	11,892	61,627
Wales.....	897	1,268	1,068	1,535	1,427	6,195
Greece.....	826	1,121	2,089	2,328	2,266	8,630
Hungary.....	616	906	813	857	1,045	4,237
Northern Ireland.....	1,210	419	491	724	2,249	5,093
Irish Free State.....	25,440	24,478	28,054	24,544	17,672	120,188
Italy, including Sicily and Sardinia.....	6,203	8,253	17,297	17,728	18,008	67,489
Latvia.....	263	298	403	258	334	1,556
Lithuania.....	472	636	770	531	625	3,034
Luxemburg.....	150	127	111	106	112	606
Netherlands.....	1,723	1,753	1,733	1,843	1,742	8,794
Norway.....	5,975	5,756	6,098	5,660	5,977	29,436
Poland.....	5,341	7,126	9,211	8,755	9,002	39,435
Portugal, including Azores, Cape Verde, and Madeira Islands.....	619	666	567	584	623	3,059
Rumania.....	1,163	1,211	1,270	1,376	1,707	6,727
Russia.....	1,775	1,766	1,183	1,254	934	6,912
Spain, including Canary and Balearic Islands.....	275	326	429	455	547	2,032
Sweden.....	8,391	8,513	8,287	8,051	8,877	42,119
Switzerland.....	2,043	1,994	2,121	1,994	2,140	10,292
Turkey in Europe.....	263	210	216	242	231	1,162
Yugoslavia.....	724	1,059	1,190	1,386	1,369	5,728
Other Europe.....	144	326	388	390	406	1,714
Asia, total.....	3,578	3,413	3,609	3,380	3,758	17,798
Armenia.....	13	16	13	21	13	76
China.....	1,937	1,751	1,471	1,320	1,446	7,925
India.....	65	93	102	102	103	465
Japan.....	723	654	723	550	771	3,421
Palestine.....	301	250	464	554	600	2,169
Persia.....	32	56	33	50	37	208
Syria.....	369	429	590	504	469	2,361
Turkey in Asia.....	38	21	60	59	57	235
Other Asia.....	100	143	213	220	262	938
America, total.....	141,496	144,393	161,872	144,281	116,177	708,219
Canada.....	100,895	91,019	81,506	73,154	64,440	411,014
Newfoundland.....	1,858	2,349	3,074	2,127	2,011	11,419
Mexico.....	32,964	43,316	67,721	59,016	40,154	243,171
Cuba.....	1,430	2,281	3,020	3,012	3,026	12,769
Other West Indies.....	676	941	999	1,046	1,280	4,942
British Honduras.....	42	39	108	31	65	285
Other Central America.....	1,157	1,335	1,663	1,720	1,492	7,367
Brazil.....	534	877	1,089	1,213	914	4,627
Other South America.....	1,936	2,230	2,688	2,953	2,789	12,596
Other America.....	4	6	4	9	6	29
Others, total.....	874	1,120	1,266	1,081	1,145	5,486
Egypt.....	142	214	228	215	264	1,063
Other America.....	270	315	292	260	245	1,382
Australia and appertaining islands.....	273	376	464	385	448	1,946
New Zealand and appertaining islands.....	143	180	248	193	171	935
Other Pacific islands.....	46	35	34	28	17	160

Citizens departed from the United States during the fiscal years ended June 30, 1925 to 1929, by years and by countries of intended future permanent residence

Countries of intended future permanent residence	Fiscal year ended June 30—					Total
	1925	1926	1927	1928	1929	
All countries.....	25,429	28,182	22,786	21,432	23,443	121,272
Europe, total.....	9,285	9,678	5,658	3,376	2,188	30,185
Albania.....	3	14	4	4	2	27
Austria.....	53	122	76	67	12	330
Belgium.....	92	181	82	52	59	466
Bulgaria.....	9	1	6	8	2	26
Czechoslovakia.....	777	689	311	200	89	2,066
Danzig, Free City of.....					1	1
Denmark.....	50	63	50	10	10	183
Estonia.....	1	2				3
Finland.....	35	28	24	19	15	121

Citizens departed from the United States during the fiscal years ended June 30, 1925 to 1929, by years and by countries of intended future permanent residence—Continued

Countries of intended future permanent residence	Fiscal year ended June 30—					Total
	1925	1926	1927	1928	1929	
France, including Corsica.....	502	544	438	150	332	1,966
Germany.....	455	527	310	207	167	1,666
Great Britain:						
England.....	852	784	455	254	476	2,821
Scotland.....	169	165	158	96	74	662
Wales.....	6	7	6	2	3	24
Greece.....	508	502	328	148	26	1,512
Hungary.....	206	235	131	133	61	766
Northern Ireland.....	60	43	31	3	2	139
Irish Free State.....	155	111	142	89	66	563
Italy, including Sicily and Sardinia.....	2,964	3,104	1,688	1,025	350	9,131
Latvia.....	11	10	2	6	3	32
Lithuania.....	177	151	74	64	43	509
Luxemburg.....	6	5	1	3		15
Netherlands.....	72	60	55	31	27	245
Norway.....	138	193	81	42	6	460
Poland.....	947	843	441	383	127	2,741
Portugal, including Azores, Cape Verde, and Madeira Islands.....	75	103	80	32	11	301
Rumania.....	216	320	213	83	39	871
Russia.....	67	45	26	27	16	181
Spain, including Canary and Balearic Islands.....	160	118	64	44	41	427
Sweden.....	63	106	77	48	24	318
Switzerland.....	57	107	69	50	48	331
Turkey in Europe.....	5	22	1	1	1	30
Yugoslavia.....	383	469	233	89	55	1,229
Other Europe.....	11	4	1	6		22
Asia, total.....	2,593	2,376	3,137	1,939	2,552	12,597
Armenia.....	4			2	1	7
China.....	1,671	1,629	2,332	1,381	1,879	8,892
India.....	197	151	187	45	134	714
Japan.....	471	381	444	390	370	2,056
Palestine.....	35	26	14	6	12	93
Persia.....	12	4	4	2		22
Syria.....	58	21	35	22	5	141
Turkey in Asia.....	6	9	11	4	1	31
Other Asia.....	139	155	110	87	150	641
America, total.....	13,324	15,939	13,791	16,062	18,570	77,686
Canada.....	9,502	11,735	11,095	14,777	16,886	63,995
Newfoundland.....	34	23	29	20	3	109
Mexico.....	699	627	439	561	725	3,051
Cuba.....	628	561	300	129	215	1,833
Other West Indies.....	1,347	1,892	1,205	405	224	5,073
British Honduras.....	17	3	10	3	3	36
Other Central America.....	769	629	311	68	254	2,031
Brazil.....	38	55	41	10	61	205
Other South America.....	289	414	361	89	198	1,351
Other America.....	1				1	2
Others, total.....	227	189	200	55	133	804
Egypt.....	42	24	23	1	26	116
Other Africa.....	85	56	72	16	47	276
Australia and appertaining islands.....	42	69	73	23	33	240
New Zealand and appertaining islands.....	28	8	6	4		46
Other Pacific islands.....	30	32	26	11	27	126

#### REFERENCE OF A BILL

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent for the rereference of a bill introduced by myself. This bill provides for an appropriation of \$300,000 for continuing and enlarging, if necessary, the immigration border patrol and providing for the increases in pay which are necessary under the law, such provision not having been made by an appropriation. This bill was referred to the Immigration Committee, whereas I am sure it should be referred to the Appropriations Committee.

The SPEAKER. What is the number of the bill?

Mr. JOHNSON of Washington. I find I have the wrong RECORD and will supply the number later.

The SPEAKER. Without objection, the bill will be rereferred.

Mr. GARNER. Mr. Speaker, I do not understand what this bill is. If I understood the gentleman from Washington correctly, it is a proposal to increase the pay of the immigration border patrol?

Mr. JOHNSON of Washington. No; if the gentleman will permit, that is not the purpose.

Mr. GARNER. Why does the Appropriations Committee have jurisdiction over the bill?

Mr. JOHNSON of Washington. I will restate the situation as I understand it. No increase in appropriation has been made in the regular appropriation bill which carries Labor Department appropriations for funds necessary to make the increases of pay to members of the immigration border patrol as provided

by law, and no sum has been appropriated for the increase of the border patrol. Therefore, if that situation stands, the border patrol will have to be reduced in size in order to take care of the increases or advances in pay which are required by law. I introduced a bill yesterday, with the idea that it would go to the Appropriations Committee, and they can gather the testimony and satisfy themselves.

Mr. GARNER. For the moment I will object. I am not going to wait until the gentleman ascertains the number of a bill which he says should be referred to the Committee on Appropriations, which committee has no legislative jurisdiction whatever. If the matter is already provided for by law the Appropriations Committee has all the necessary power to report an appropriation. If it has not been authorized by law, then the Appropriations Committee could not make the appropriation.

Mr. JOHNSON of Washington. It is required by law, and the bill which I introduced should not be referred to the Immigration Committee but to the Committee on Appropriations, and it is for the purpose of calling that committee's attention to the situation.

Mr. GARNER. The gentleman is calling their attention to the situation?

Mr. JOHNSON of Washington. Yes.

Mr. GARNER. If I understand the proposition correctly, the gentleman from Washington has introduced a bill which he wants referred to the Committee on Appropriations merely for the purpose of calling their attention to the situation. If that is the way in which the gentleman wants to communicate with the committee I will have no objection.

Mr. JOHNSON of Washington. That is a legal and a proper way.

The SPEAKER. Is there objection?

Mr. RANKIN. Mr. Speaker, reserving the right to object, it seems to me the gentleman should call the attention of the Appropriations Committee to this matter without introducing a bill and having it referred to them.

Mr. JOHNSON of Washington. No doubt this brief debate will call it to their attention. However, I will introduce another bill, worded more directly, so that it will have to be referred to the Committee on Appropriations. That committee can then call the proper witnesses and ascertain the exact situation before it reports its supplemental bill. So, an objection might really help the situation.

Mr. RANKIN. Mr. Speaker, I object.

#### CALENDAR WEDNESDAY

##### EXPOSITION AT PARIS, FRANCE, IN 1931

Mr. FISH. Mr. Speaker, by direction of the Committee on Foreign Affairs, I call up the joint resolution (H. J. Res. 311) for the participation of the United States in an exposition to be held at Paris, France, in 1931.

The Clerk read the title of the joint resolution.

The SPEAKER. This joint resolution is on the Union Calendar.

Mr. LA GUARDIA. Mr. Speaker, I make the point of order there is not a quorum present.

The SPEAKER. Evidently, there is no quorum present.

Mr. TILSON. Mr. Speaker, I move a call of the House.

Mr. LA GUARDIA. Mr. Speaker, I ask for a division on the motion for a call of the House.

The House divided; and there were—ayes 57, noes 37.

Mr. LA GUARDIA. Mr. Speaker, I ask for the yeas and nays.

The SPEAKER. Those in favor of taking this vote by the yeas and nays will rise and stand until counted. (After counting). Three gentlemen have risen, not a sufficient number.

So the yeas and nays were refused.

So a call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

#### [Roll No. 52]

Abernethy	Craddock	Graham	Ketcham
Arentz	Curry	Greenwood	Kless
Arnold	Dempsey	Hall, Miss.	Kunz
Aswell	Dickinson	Hare	Kurtz
Auf der Heide	Dickstein	Hooper	Langley
Bankhead	Douglass, Mass.	Houston	Larsen
Beck	Doutrich	Hudson	Leech
Beedy	Doyle	Hudspeth	Letts
Britten	Drane	Hull, William E.	Lindsay
Brumm	Englebright	Igoe	McClintick, Ohio
Brunner	Esterly	James	McCormack, Mass.
Burness	Evans, Calif.	Jeffers	McCormick, Ill.
Carley	Finley	Jenkins	Mead
Carter, Wyo.	Fitzpatrick	Johnson, Ill.	Michaelson
Celler	Fort	Johnson, Ind.	Mooney
Chase	Freeman	Johnson, Okla.	Morgan
Clarke, N. Y.	Fulmer	Johnson, S. Dak.	Mouser
Cochran, Pa.	Gambrill	Kearns	Murphy
Connery	Gasque	Kemp	Niedringhaus
Cooke	Gifford	Kennedy	Nolan
Cooper, Ohio	Golder	Kerr	Norton

Oliver, N. Y.  
Owen  
Palmisano  
Parks  
Peavey  
Porter  
Prall  
Pratt, Ruth  
Quayle

Reid, Ill.  
Robinson  
Sabath  
Seiberling  
Short  
Sirovich  
Spearing  
Sprout, Ill.  
Stafford

Stedman  
Stevenson  
Strong, Kans.  
Sullivan, N. Y.  
Sullivan, Pa.  
Taylor, Colo.  
Taylor, Tenn.  
Temple  
Underhill

Underwood  
Vincent, Mich.  
Watson  
White  
Whitehead  
Wolfenden  
Wood  
Yon

The SPEAKER. Three hundred and seven Members present, a quorum.

Mr. TILSON. Mr. Speaker, I move to dispense with further proceedings under the call.

Mr. LA GUARDIA. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 243, noes 0.

So further proceedings under the call were dispensed with.

The SPEAKER. This joint resolution is on the Union Calendar and the House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 311, with Mr. CHINDBLOM in the chair.

The Clerk read the title of the resolution.

Mr. FISH. Mr. Chairman, I ask unanimous consent that the first reading of the joint resolution be dispensed with.

Mr. LA GUARDIA and Mr. JOHNSON of Washington objected.

The Clerk read the joint resolution, as follows:

*Resolved, etc.,* That the invitation extended by the Government of France to the United States to participate in an international exposition of colonial and overseas countries to be held at Paris, France, in 1931, is hereby accepted.

Sec. 2. The President is authorized to appoint a commissioner general and two commissioners to represent the United States in the exposition, the amount of the compensation of each of whom not, however, to exceed \$10,000 per annum, shall be determined by the Secretary of State. The commissioner general shall prescribe the duties of the two commissioners and shall under the direction of the Secretary of State, (1) make all needful rules and regulations relative to the exhibits from this country and its overseas territories, and for the expenditures incident to the installation of such exhibits, and for the preparation of reports of the exposition and the general results thereof; (2) furnish such information to private exhibitors and prospective exhibitors as he may deem requisite and feasible; (3) make all proper arrangements for the preparation, transportation, installation, display, and care of the exhibits from this country and its overseas territories; (4) with reference to such exhibits from this country and its overseas territories, and reports, cooperate with and secure the assistance of the various executive departments and branches of the Government participating in the exposition, which departments and branches may, with the approval of the Secretary of State, designate officials or employees of their departments or branches to assist the commissioner general, but no such official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department or branch where employed, plus such reasonable additional allowance for expenses as may be deemed proper by the Secretary of State; (5) employ such clerks, stenographers, and other assistants as may be necessary and fix their reasonable compensation; and (6) purchase such material, contract for such labor and services, and cause to be constructed such building as may be necessary to carry out the general purpose of this act. The heads of the various departments and branches of the Government are authorized, in cooperation with the Secretary of State, to collect and prepare suitable exhibits for display at the exposition, accompanied by appropriate descriptions in the French and English languages.

Sec. 3. Officers and employees of the executive departments or branches of the Government in charge of or responsible for the safe-keeping of any property of this country and its overseas territories, which is proposed to be exhibited, may permit such property on the request of the commissioner general, to pass from their possession for the purpose of being transported to and from and exhibited at the exposition. At the close of the exposition, if practicable, the commissioner general shall cause all such property to be returned to the respective departments and branches from which taken; and if the return of any such property is not practicable, he may, with the knowledge of the department or branch from which it was taken, and with the approval of the Secretary of State, make such disposition thereof as he may deem advisable and account therefor.

Sec. 4. In order to defray the expenses hereinbefore specified and all and singular expenses necessary to carry out the purposes of this act the sum of \$250,000, or so much thereof as may be necessary, is authorized to be appropriated out of any money in the Treasury not otherwise appropriated, to remain available until expended. All expenditures shall be subject to approval by the Secretary of State and payable upon his certification, but shall not be subject to the provisions of any law other than this act regulating or limiting the expenditure of public money, but this provision shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office



for audit or permit any indebtedness to be incurred in excess of the amount authorized to be appropriated.

SEC. 5. The commissioner general, with the approval of the Secretary of State, may receive from any source contributions to aid in carrying out the general purpose of this act, but the same shall be expended and accounted for in the same manner as any appropriation which may be made under authority of this act. The commissioner general is also authorized to receive contributions of material to aid in carrying out the general purpose of this act, and at the close of the exposition or when the connection of the Government of the United States herewith ceases, under the direction of the Secretary of State, shall dispose of any such portion thereof as may be unused, and any building which may have been constructed and account therefor.

SEC. 6. It shall be the duty of the Secretary of State to transmit to Congress within six months after the close of the exposition a detailed statement of all expenditures, together with the reports heretofore specified and such other reports as he may deem proper, which reports shall be prepared and arranged with a view to concise statement and convenient reference.

Mr. FISH and Mr. LAGUARDIA rose.

Mr. LAGUARDIA. Mr. Chairman, I desire recognition in opposition to the resolution.

Mr. FISH. Mr. Chairman, I would like to inquire of the Chair whether I will be in charge of the time in favor of the joint resolution.

The CHAIRMAN. The Chair will state that the rule provides that there shall be two hours of general debate, divided equally between those for and against the joint resolution. A Member securing recognition is entitled to such recognition for one hour and during that time may yield to others. If, however, a Member who gets recognition does not consume the entire hour, the Chair would recognize some one else to consume the balance of the hour. A similar situation would exist with reference to those who are against the resolution.

Mr. LAGUARDIA. Mr. Chairman, at the proper time I shall ask recognition in opposition to the resolution.

The CHAIRMAN. The Chair will state that if no member of the committee desires recognition in opposition to the bill or no one on the minority side, the Chair will bear the gentleman's notice in mind.

Mr. FISH. Mr. Chairman, I yield 10 minutes to the gentleman from New York [Mr. BLOOM].

Mr. BLOOM. Mr. Chairman, this resolution (H. J. Res. 311) is in response to an invitation from the French Government to participate in an exposition in France in 1931.

At the outset may I say that the following nations have already signified their intention to participate: Italy, Belgium, Holland, Denmark, and Portugal.

The nations that are to be represented exclusively in the city of information are Great Britain and South and Central American States. Canada and Spain expect to build pavilions at the exposition.

When the invitation was received the Department of State and the Department of Commerce, after looking into the matter, forwarded letters recommending that the United States should participate in this exposition.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. BLOOM. Yes; at any time.

Mr. LAGUARDIA. The question of the invitation is bothering me somewhat. Has the gentleman got the invitation?

Mr. BLOOM. Yes. I have here a copy of the letter, translated from the French, from the embassy of the French Republic to the United States, under date of April 6, 1927, addressed to the Secretary of State and signed by Ambassador Claudel, asking that the United States participate in this exposition.

Mr. LAGUARDIA. Will the gentleman read the letter?

Mr. BLOOM. Yes.

EMBASSY OF THE FRENCH REPUBLIC TO THE UNITED STATES,  
Washington, April 6, 1927.

MR. SECRETARY OF STATE: The French Government, by authority of the Parliament, has decided to organize<sup>1</sup> in 1929 an International Colonial Exposition in Paris. The main characteristics of that event are given in the note, a copy of which I inclose to your excellency.

The higher council of the exposition thought there might be occasion to invite not only the powers with the colonies but also the countries producing articles like those of the French possessions beyond the seas. For that reason Mr. Briand instructed me to send to the American Government an official invitation to participate in this exposition as the Government of the Republic attaches the greatest value to the adhesion of the United States.

In order to have the time needed for the preparation of foreign participations, Mr. Briand would like to know at the earliest possible date

the answer your excellency may be pleased to return, which I am to report by telegraph. I shall shortly forward to your excellency copies of the general rules of the exposition and also the notice and general plan to be published on that occasion by the Minister of Colonies.

I may add that the American who would be designated to prepare the participation in that exposition might, for all additional information, directly communicate with Mr. Gabriel Angoulvant, Deputy, Governor General of Colonies, Commissioner General of the International Colonial Exposition, at the Ministry of Colonies in Paris.

Be pleased to accept, etc.

CLAUDEL.

His Excellency HON. FRANK B. KELLOGG,  
Secretary of State of the United States.

Does that satisfy the gentleman from New York?

Mr. LAGUARDIA. That does not contain one word of an invitation.

Mr. BLOOM. I am sorry, but this is a copy of the invitation.

Mr. LAGUARDIA. The gentleman knows that an invitation of this kind is transmitted to Congress by the President. With this is a letter from Mr. Edge, ambassador to Paris, and some comments by Mr. Cotton, but I challenge the gentleman, or any member of the committee, to show one sentence in the report that we have been officially invited.

Mr. BLOOM. We were officially invited. The Secretary of State, or the Acting Secretary of State, would not have sent any communication to the chairman of the Foreign Affairs Committee unless he had authority to do it.

Mr. LAGUARDIA. Have you any communication from the Department of State?

Mr. BLOOM. I have a copy of it, I have not the original. This is from the Acting Secretary of State. Do you want me to read all of it?

Mr. LAGUARDIA. Yes; I want to get the contents of it. I am serious about this.

Mr. BLOOM. So am I. It is a long letter:

DEPARTMENT OF STATE,  
Washington, April 15, 1930.

The Hon. STEPHEN G. PORTER,  
Chairman Committee on Foreign Affairs,  
House of Representatives.

MY DEAR MR. PORTER: I wish to amplify my letter of April 9, 1930, advising you that I am in favor of House Joint Resolution 279 with reference to participation in the International Colonial Exposition to be held at Paris, France, in 1931.

There is reason to believe that our absence from the exhibition might make us conspicuous, particularly as attention would doubtless be drawn to our elaborate participation in the Seville Exposition—

I want to call your attention, and the attention of the committee, to the fact that there are reasons why we should participate in this exposition. The gentleman from New York wants all the reasons and I am going to give him those reasons in plain words—

Furthermore, we have just extended an invitation to France to be represented at the Century of Progress Exposition to be held in Chicago in 1933. Our failure to respond to the French invitation would be likely to prejudice the character of French participation in the Chicago Exposition.

Right here I want to say that we are extending an invitation to France to attend the celebration in 1932. In that we have reason to be proud of what France did for us at the time of the Revolution. If we invite France to participate in 1932 and 1933 in Chicago, and refuse to accept their invitation to participate in their exposition in 1931, I do not think that is reciprocity.

A dispatch has just been received from our American ambassador, Mr. Edge, at Paris, indicating his interest in the exposition and expressing the belief that our participation therein would have a tendency to facilitate the consideration of pending questions. The ambassador states that French Government officials are deeply interested in the success of the exposition.

Inclosed with the ambassador's dispatch is a letter dated March 18, 1930, a translation of which is inclosed, from Marshall Lyautey, who is commissioner general of the exposition. It will be noted from this letter that there are apparently two methods of participation in the exposition, one to erect a building and the other to participate in the "international city of information."

There is likewise inclosed a translation of a memorandum from the secretariat of the exposition showing those countries which have to date agreed to participate and the character of their participation.

There is also inclosed a letter dated April 7, 1930, from the Secretary of Commerce presenting the commercial aspects of the question of participation, and expressing his opinion that acceptance of the invitation and participation by the United States would be justifiable.

<sup>1</sup> In 1931 an International Colonial Exposition and Exposition of Overseas Countries.

As the exposition will unquestionably have important commercial characteristics, I believe that the Secretary of Commerce can also appropriately comment as to the character of possible American participation and the extent thereof.

Sincerely yours,

J. P. COTTON, *Acting Secretary.*

Mr. SEARS. Will the gentleman yield?

Mr. BLOOM. I yield.

Mr. SEARS. I think many of us would like to know why it is that this has not been brought up long ago. This seems to be three years old.

Mr. BLOOM. As soon as the Committee on Foreign Affairs got it we tried to report it out as soon as possible. The reason why it was not brought up before is that the exposition was postponed.

Mr. SEARS. How long was it before the committee?

Mr. BLOOM. The bill was introduced April 21, 1930.

Mr. SEARS. And the invitation was sent three years ago?

Mr. BLOOM. Yes; but the exposition was postponed. It was to be held in 1929, and it was postponed until 1931.

Mr. SEARS. Does the President recommend that we should participate?

Mr. BLOOM. We have nothing here from the President, but Ambassador Edge was requested to take up the matter. It may have been because of the illness of Ambassador Herrick.

Mr. SEARS. It seems to me that if we should send an invitation to participate in the Chicago exposition it would be more of a formality than we have here.

Mr. BLOOM. That is not the fault of the Committee on Foreign Affairs. As soon as we had it we held hearings and reported it out.

Mr. SEARS. I should think that we would offer a resolution and have it passed, if the administration were going to extend an invitation to these other nations, in a most formal manner.

Mr. BLOOM. We can not act upon it until the Committee on Foreign Affairs has information to act upon.

Mr. ALMON. Does not the gentleman think that the amount of \$250,000 authorized to be appropriated is rather more than should be called for during these hard times, when there are so many men unemployed and conditions are so unfavorable?

Mr. BLOOM. I will answer the gentleman in this way: The French Government participated officially in a number of international expositions held in the United States. It participated in 1876 at Philadelphia, in Chicago in 1893, in St. Louis in 1904, and in San Francisco in 1915. While France was engaged in the war in 1915 she participated in the exposition in San Francisco and at that time expended 2,000,000 francs, or \$400,000, and France needed her money very badly at that time. In all of the participations in our expositions in this country France has never refused at any time and she has never spent less than that sum, and if she participates in the Chicago exposition in 1933 she will have to spend more than \$250,000.

Mr. ALMON. Can the gentleman give the committee any assurance that Congress will not be asked for an additional amount after this affair is all over?

Mr. BLOOM. Absolutely; because the committee has placed in this resolution a provision that if they want any more money they are supposed to go out and ask for it and accept contributions.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BLOOM. I wish at this time to insert into the RECORD a letter from the Hon. R. P. Lamont, Secretary of Commerce; also a telegram from Mr. Taylor, president of the Chamber of Commerce in Paris.

PARIS, April 11, 1930.

Hon. SOL BLOOM,

*House of Representatives, Washington, D. C.:*

American Chamber of Commerce in France in full sympathy your resolution and hopes United States Government will accept invitation French Government to participate Colonial Exposition, Paris, 1931. We believe participation this exposition exceedingly helpful to American business in France.

TAYLOR, *President.*

DEPARTMENT OF COMMERCE,

OFFICE OF THE SECRETARY,

Washington, April 7, 1930.

The honorable the ACTING SECRETARY OF STATE,

Washington, D. C.

MY DEAR MR. SECRETARY: I am replying to your letter of March 31 concerning the Colonial Exposition and Exposition of Overseas Countries to be held in Paris in 1931 (your file W E: 851.607 AN/).

The suggestions in my letter of March 13 related to commercial good will and the strengthening of international commercial relations. The first commercial treaty made by the United States was negotiated in the early years of the Republic with France. My intention was to emphasize these trade factors, not the political elements.

The trend of trade between France and the United States has been singularly steady in its relative importance. The value of this commerce with France and the French Colonies for the past decade is shown in the inclosed tables and its relation to the total world trade of the United States is indicated.

Commercial groups in France and the United States, as well as the French Government, are placing considerable significance upon participation by the United States at this Colonial Exposition. The French have invariably taken part in the great international expositions held in the United States. In consideration of the commercial bonds between the two nations I feel that acceptance of the invitation and participation by the United States would be justifiable and would present a further indication of the cordial French-American relations that have existed for years.

Very sincerely,

R. P. LAMONT,  
*Secretary of Commerce.*

Mr. FISH. Mr. Chairman, I yield five minutes to the gentleman from New York [Mr. LaGUARDIA].

Mr. LaGUARDIA. Mr. Chairman, I am not going to ask for time in opposition. Any Member of Congress who follows a bill must necessarily obtain his information from the report, and, with all due consideration for the committee, I say that this report on this resolution is absolutely bare of any statement which shows that at any time an invitation was officially extended to the United States by the Government of France. The gentleman from New York [Mr. BLOOM] has read copies of the official invitation, and it is now in the RECORD. At least the House now knows that we have been officially invited. Moreover, Mr. Chairman, I conferred with several members of the committee in respect to this resolution, and every member that I conferred with said that the resolution must have been considered in his absence, because he was not there. That also prompted me to look into it very carefully. The committee has reported an invitation from a foreign government and it is before the House. Naturally the House can not do anything else than accept the invitation or place the country in a most ungracious position. There is no doubt about that. I have my own views on the matter of colonization. I am sure the Government and our representatives will by statement and otherwise make it clear that the United States has no colonies. We surely will do nothing to embarrass our fellow citizens of Porto Rico, Hawaii, and the Philippines.

Mr. O'CONNELL. Mr. Chairman, that is just exactly the statement that I expected the gentleman from New York to make. Everyone knows that he is eminently fair. All he wanted was proof that this resolution was correct and just.

Mr. LaGUARDIA. And that the invitation was here.

Mr. O'CONNELL. Yes; that we had received an official invitation.

Mr. LaGUARDIA. I am sure that our representatives and departments will make it very clear that we are not presenting any of our territories as colonies, because we have not colonies.

Mr. MOORE of Virginia. Mr. Chairman, if the gentleman will permit, that point was mentioned in the committee. Of course we have no colonies, but we have overseas possessions.

Mr. LaGUARDIA. Overseas territories.

Mr. MOORE of Virginia. Overseas possessions. We have overseas holdings, whether they be called possessions or territories.

Mr. LaGUARDIA. In other words, we do not consider our territorial fellow citizens under the same conditions as, for instance, France does the French colonies or Belgium does her colonies.

Mr. O'CONNELL. No.

Mr. MOORE of Virginia. We say nothing in the resolution that indicates that.

Mr. LaGUARDIA. I yield back the remainder of my time.

Mr. JOHNSON of Washington. Mr. Chairman, I desire to ask the gentleman a question.

Mr. LaGUARDIA. I yield.

Mr. JOHNSON of Washington. The gentleman is aware that an effort is being made by the Executive to hold down appropriations. This calls for a sizable appropriation.

Mr. LaGUARDIA. I wish the gentleman would refer that inquiry to members of the committee. I have troubles enough of my own.

The CHAIRMAN. The time of the gentleman from New York [Mr. LaGUARDIA] has expired.

Mr. FISH. Mr. Chairman, I yield some time to myself.



Mr. JOHNSON of Washington. There is a bill pending, introduced by the Commissioner of Porto Rico, to appropriate \$800,000 for building a lighthouse in Porto Rico, where the people, all of whom are citizens of the United States, and nearly all of whom are in poverty and great distress. Is that bill going to be called up to-day?

Mr. FISH. That bill is the last on the calendar, and it is doubtful if it will be reached. However, it is not in Porto Rico where it is proposed to erect this lighthouse, but in Santo Domingo.

Mr. JOHNSON of Washington. Well, of course, the people of Santo Domingo are not citizens of the United States, although they, too, are mostly very poor. Hearings recently held in the Committee on the Territories disclosed the terrible distress of most of the 1,600,000 people in Porto Rico. Fully 600,000 of them are at the actual point of starvation; mothers are so underfed that their babies are nourished by the mothers chewing rice and trying to spit the rice chew into the babies' mouths. This and other evidence comes from Col. Theodore Roosevelt, the Governor of Porto Rico. That is where we ought to spend some money, and for that situation we might spare some time before adjournment.

Mr. LAGUARDIA. I think the Committee on Appropriations will insert that item in the deficiency bill. I am not authorized to say so, but I hope that will be done.

Mr. JOHNSON of Washington. I am sincerely glad to hear that statement of some prospective additional relief for our Porto Rican American citizens. But let us also remember that times are very hard out in the States of our own country, as all of you will find out after we adjourn and you go to your homes.

Mr. FISH. I will say to the gentleman that when the lighthouse bill he refers to is under consideration at a future day I hope the gentleman will make that statement at that time.

This bill carries an authorization of \$250,000, but if we refuse to adopt this particular resolution to participate in the exposition at Paris it would be regarded almost as an unfriendly act, or at least as an ungracious act.

Now, Mr. Chairman, unless there are some further remarks to be made on the resolution, I will move that the committee do now rise and report it back to the House.

Mr. JOHNSON of Washington. I do not care for further time, except to say that we do not desire to be ungracious or selfish, but that the more necessary things at home should be done first.

Mr. FISH. I ask unanimous consent to insert in the RECORD the official invitations tendered by the French Ambassador at Washington to the Secretary of State for the participation of the Government of the United States in the Colonial International Exposition to be held in Paris in 1931.

[Translation]

EMBASSY OF THE FRENCH REPUBLIC TO THE UNITED STATES,

Washington, January 2, 1930.

MR. SECRETARY OF STATE: By a note dated June 13 last your excellency's predecessor, in reply to a communication I sent him on April 6, 1927, informed me that the Government of the United States was not likely to be in a position to take official part in the Colonial International Exposition which the French Government has decided to hold in Paris in 1931.

Since the above-mentioned answer the embassy has had occasion to broach again the subject repeatedly with the Department of State. The commercial attaché also spoke with the Assistant Secretary of Commerce. I had myself the honor to speak with your excellency about it during a visit I made last fall to introduce to you the secretary-general of the contemplated exposition. I also had an opportunity to mention the subject to the Secretary of Commerce.

All those conversations were intended to stress with your excellency and the competent authorities of the American Government the importance the French Government would attach to an American representation, without which the intended international event would be incomplete. The United States, to be sure, has no colonial territory. But I wish to draw your excellency's attention to the fact that this is not to be an exposition confined to the colonies properly so called of the several powers. It is to be an exposition in which the leading powers of the world will take part with regard, besides their colonies, properly so called, to the territories or possessions in which they have especial interest. That is the reason why the phrase "colonies and countries beyond the seas" was added to "Colonial International Exposition of Paris." In this respect the American possessions of Porto Rico, the Hawaiian Islands, and the Philippine Islands, as also the West Indies, come within the class of territories beyond the sea contemplated above. The French Government believes it would be highly desirable to have the products, customs, traditions, etc., of the above-named territories represented by the same right as those of the possessions of the other countries.

I have, therefore, been instructed again to bring this question up to the Government of the United States and to renew the invitation I had the honor to extend two years ago.

In order to place your excellency in a position to give precise information to the authorities concerning the scope of the exposition, I have the honor to inclose herewith five copies of two documents written in English and containing information of a general nature and the regulations of the exposition, together with several plans of the site which it will occupy.

Begging your excellency kindly to see that these are forwarded to the authorities concerned, I take the liberty of expressing my Government's gratitude for such efforts as you may deem proper to make looking to a favorable decision from the Government of the United States.

Please accept, Mr. Secretary of State, the assurances of my highest consideration.

CLAUDEL.

[Translation]

EMBASSY OF THE FRENCH REPUBLIC TO THE UNITED STATES,

Washington, April 6, 1927.

His Excellency Hon. FRANK B. KELLOGG,

Secretary of State of the United States.

MR. SECRETARY OF STATE: The French Government, by authority of the Parliament, has decided to organize, in 1929, an International Colonial Exposition in Paris. The main characteristics of that event are given in the note, a copy of which I inclose to your excellency.

The higher council of the exposition thought there might be occasion to invite not only the powers with colonies but also the countries producing articles like those of the French possessions beyond the seas. For that reason, Mr. Briand instructed me to send to the American Government an official invitation to participate in this exposition as the Government of the Republic attaches the greatest value to the adhesion of the United States.

In order to have the time needed for the preparation of foreign participations, Mr. Briand would like to know at the earliest possible date the answer your excellency may be pleased to return, which I am to report by telegraph. I shall shortly forward to your excellency copies of the general rules of the exposition and also the notice and general plan to be published on that occasion by the Minister of Colonies.

I may add that the Americans who would be designated to prepare the participation in that exposition might, for all additional information, directly communicate with Mr. Gabriel Angoulevant, Deputy Governor General of Colonies, Commissioner General of the International Colonial Exposition, at the Ministry of Colonies in Paris.

Be pleased to accept, etc.

CLAUDEL.

The CHAIRMAN. The Clerk will report the resolution for amendment.

The Clerk read as follows:

SEC. 2. The President is authorized to appoint a commissioner general and two commissioners to represent the United States in the exposition, the amount of the compensation of each of whom not, however, to exceed \$10,000 per annum, shall be determined by the Secretary of State. The commissioner general shall prescribe the duties of the two commissioners and shall under the direction of the Secretary of State, (1) make all needful rules and regulations relative to the exhibits from this country and its overseas territories, and for the expenditures incident to the installation of such exhibits, and for the preparation of reports of the exposition and the general results thereof; (2) furnish such information to private exhibitors and prospective exhibitors as he may deem requisite and feasible; (3) make all proper arrangements for the preparation, transportation, installation, display, and care of the exhibits from this country and its overseas territories; (4) with reference to such exhibits from this country and its overseas territories, and reports, cooperate with and secure the assistance of the various executive departments and branches of the Government participating in the exposition, which departments and branches may, with the approval of the Secretary of State, designate officials or employees of their departments or branches to assist the commissioner general, but no such official or employee so designated shall receive a salary in excess of the amount which he has been receiving in the department or branch where employed, plus such reasonable additional allowance for expenses as may be deemed proper by the Secretary of State; (5) employ such clerks, stenographers, and other assistants as may be necessary and fix their reasonable compensation; and (6) purchase such material, contract for such labor and services, and cause to be constructed such building as may be necessary to carry out the general purpose of this act. The heads of the various departments and branches of the Government are authorized, in cooperation with the Secretary of State, to collect and prepare suitable exhibits for display at the exposition, accompanied by appropriate descriptions in the French and English languages.

Mr. MORTON D. HULL. Mr. Chairman, I rise to offer an amendment on page 1, having to do with punctuation. Strike out the comma after the word "not," and after the word "how-

ever," in line 10, and insert a comma after the word "whom" in the same line.

Mr. FISH. Mr. Chairman, I accept the amendment.

Mr. HOCH. Mr. Chairman, does not the gentleman think it would improve it to strike out also the word "however"? I think that would be better.

Mr. MORTON D. HULL. Yes; and to strike out the "however."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Illinois [Mr. MORTON D. HULL]. The Clerk read as follows:

Amendment offered by Mr. MORTON D. HULL: Page 1, line 10, strike out the comma after the word "not," insert a comma after the word "whom," strike out the comma after the word "however," and strike out the word "however."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BLOOM. Mr. Chairman, I offer an amendment on page 1, line 8, changing the two commissioners to one. On page 2, line 3, make it singular, "commissioner" instead of "commissioners."

Mr. FISH. This resolution was carefully drawn in the committee, and unless there are good reasons to change it to one commissioner I hope the gentleman's amendment will not prevail.

Mr. BLOOM. I think one commissioner is enough. You have one general commissioner and one commissioner. And, furthermore, my colleague from Michigan [Mr. CRAMTON] spoke to me about it, and I agreed with him that it should be changed to one commissioner instead of two.

Mr. FISH. Then, you are simply doing this by request?

Mr. BLOOM. Both by request and at my own initiative.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York [Mr. BLOOM].

The Clerk read as follows:

Amendment offered by Mr. BLOOM: Page 1, line 8, strike out the word "two" and insert "one," and strike out the word "commissioners" and insert the word "commissioner."

On page 2, line 2, strike out the word "two" and insert the word "one," and strike out the word "commissioners" on line 3 of page 2 and insert the word "commissioner."

Mr. FISH. Mr. Chairman, I will accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 3. Officers and employees of the executive departments or branches of the Government in charge of or responsible for the safe-keeping of any property of this country and its overseas territories which is proposed to be exhibited, may permit such property, on the request of the commissioner general, to pass from their possession for the purpose of being transported to and from and exhibited at the exposition. At the close of the exposition, or when the connection of the Government of the United States therewith ceases, if practicable, the commissioner general shall cause all such property to be returned to the respective departments and branches from which taken; and if the return of any such property is not practicable, he may, with the knowledge of the department or branch from which it was taken, and with the approval of the Secretary of State, make such disposition thereof as he may deem advisable and account therefor.

With a committee amendment as follows:

Page 3, line 18, after the word "exposition," insert the words "or when the connection of the Government of the United States therewith ceases."

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Louisiana moves to strike out the last word.

Mr. O'CONNOR of Louisiana. Mr. Chairman and members of the committee, I am in favor of this bill. Expositions promote good will and establish friendly relations among the nations that participate in them. They not only have commercial but cultural aspects which are desirable to all countries, but one like our own that can boast of so many schools, colleges, and universities, where the value of art in all of its forms, poetry, painting, sculpture, and music are encouraged and promoted. The origin of the city of New Orleans is, of course, so well known historically that I am not going to dwell on the fact at all; suffice it to say that it is the Paris of America, with a strong suggestion of Madrid and Seville, which makes it one of the most attractive cities on the continent. As the merits of

the bill have been made known very fully and felicitously by our colleague from New York [Mr. BLOOM], anything I might say would be, if not in the nature of an elaboration, akin to a supererogation. That last remark is for the benefit of my good friend, Congressman MOORE of Virginia, who delights in alliterations and near alliterations.

Mr. Chairman, I ask unanimous consent to revise and extend my remarks. But before that request is granted I want to say that Congressman SOL BLOOM is a consistent advocate of expositions, believing they promote desirable results. He was and is one of the best friends the New Orleans Trade Exhibition has in this House.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. MOORE of Virginia. Does the gentleman mean that the city of New Orleans had a French origin or a Celtic origin?

Mr. O'CONNOR of Louisiana. I am surprised at such a question coming from one of the Nestors of the House, whose knowledge of history and illuminating references to the wonders and the great men of the past have made him one of the most affectionate indispensables of the House.

Mr. O'CONNOR of New York. Why bring that up? [Laughter.]

Mr. O'CONNOR of Louisiana. I am glad that our genial friend has in such a friendly and facetious manner come into the debate and inspired me to tell him what he knows of course, and that while New Orleans owes many of its glories and much of its atmosphere to France and Spain, its architecture reminding one of the streets and buildings of Paris, Brussels, Rome, and Madrid, its life along all lines, social, commercial, financial, and industrial, have felt a beneficial and colorful influence from the Irish blood that is found in so many families not only of New Orleans but of Louisiana as a larger part of our country. Many of the finest plantations in our State bear Irish names. But in all seriousness, my colleagues, let us pass this bill. We owe such action to ourselves and to France. I might say we owe a friendly attitude to all of Europe at all times, for after all, as Clemenceau said when he was here, all Americans are extensions of European stock. But at this time of depression in world affairs and when the pending tariff bill does not tend to strengthen the ties of affection between us and other people, we should do what we can with this and other legislation to reestablish amicable relations.

The CHAIRMAN. Without objection, the pro forma amendment is withdrawn. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Sec. 4. In order to defray the expenses hereinbefore specified and all and singular expenses necessary to carry out the purposes of this act, the sum of \$250,000, or so much thereof as may be necessary, is authorized to be appropriated out of any money in the Treasury not otherwise appropriated, to remain available until expended. All expenditures shall be subject to approval by the Secretary of State and payable upon his certification, but shall not be subject to the provisions of any law other than this act regulating or limiting the expenditure of public money, but this provision shall not be construed to waive the submission of accounts and vouchers to the General Accounting Office for audit or permit any indebtedness to be incurred in excess of the amount authorized to be appropriated.

Mr. ALMON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. ALMON: Page 4, line 5, strike out "\$250,000" and insert in lieu thereof "\$125,000."

Mr. ALMON. Mr. Chairman, ladies and gentlemen of the committee, as has been said by the distinguished Member from the State of Washington [Mr. JOHNSON], times are hard. Money is scarce. We have had, and still have, what we might term a great financial crisis. The President of the United States has urged us to economize in the making of our appropriations. The distinguished author of this bill has reduced the expense incident to it by striking out the provision for one of the commissioners who is to receive a salary of \$10,000 per year.

Bills of this kind authorizing appropriations usually come back with another request, after the exposition is over, for enough money to make good the deficit. I have no doubt that will be done in this case, and Congress will appropriate whatever is necessary to make good the deficit. I trust the members of this committee will bear in mind that conditions are



unusual. It may not be proper to decline this invitation, but I do say that we should have some regard to the financial condition of our country. Some of the men who are going to serve in this capacity would, no doubt, be willing to serve without any salary and simply receive their expenses. For that reason it seems to me that at the present time \$125,000, which is quite a good deal of money, is sufficient to authorize for this exposition. For that reason I urge the passage of my amendment.

Mr. FISH. Mr. Chairman, I rise in opposition to the amendment. This amount, \$250,000 authorized in the resolution, has the approval of the administration and of the Budget. It is little enough, I will say to the gentlemen, for the participation of the United States of America in any great exposition to be held in France. The French Government has consistently accepted all of our invitations to American expositions since the centennial of 1876. France has on numerous occasions appropriated large sums of money, far greater than is authorized in this resolution, to send exhibits to the United States and participate in our expositions. The only objection I have to the resolution is that the amount is not large enough. I should be glad to vote for twice as much, but in view of the fact that the administration and the Budget have recommended \$250,000, I hope the House will sustain that amount. Besides it has the unanimous support of the committee.

Mr. PATTERSON. Will the gentleman yield?

Mr. FISH. I yield.

Mr. PATTERSON. What is going to be done with all this money? The gentleman stated he would be glad to vote for twice this amount. I am afraid they will be coming back for more money. That is the thing that we expect. They will be coming back asking for more money. The other day we attempted to pass a bill to rehabilitate people who were disabled in industry and this amount, according to the statistics, would rehabilitate several thousand of them, and we could not pass that legislation on account of the Budget. Now \$250,000 is asked for, and the gentleman from New York makes the statement that he would support \$500,000. What is going to be done with all of this money?

Mr. FISH. I will say to the gentleman this amount has been well considered, and the State Department believes that the entire sum of \$250,000 will be required. It is believed that this amount will be adequate to fulfill our share and our contribution to this exposition. Furthermore, I would point out to the gentleman that we do a large trade with France and a large trade with her colonial empires, such as Morocco, and this exposition will help our trade. It would be almost a disaster to cut down the amount and minimize this exposition, when the feeling in France is intense on the tariff question. I hope the gentleman will not insist on the amendment.

Mr. PATTERSON. I did not know the feeling was intense on the tariff question. That is something new, coming from that quarter.

Mr. GREEN. Mr. Chairman, it seems to me that with present conditions facing us at home we should accept the amendment and appropriate \$125,000 rather than a quarter of a million dollars.

I would like to say to my colleagues that I fear you are inclined to forget the acuteness of present economic conditions. For instance, I have a number of soldiers in my district, who are disabled, who can not get hospitalization because the facilities are not available in veterans' hospitals on account of sufficient money not being appropriated. We are trying to get soldiers' homes to take care of those who are not subject to hospitalization but who are subject to care in homes, but our appropriations are not granted. Only this morning two very fine young men around 30 years of age came to my office. One of them was an experienced law clerk and a skilled office man. The other was a fairly good workman and had clerical training. They said: "We have been to New York; we have been all over Washington. We can not find any kind of employment. What is wrong? Why can't we find something to do? We direly need employment."

When we know that these conditions exist, when we know that our people are hungry, in the worst panic in the history of our country, and with the great unemployment, it seems to me, my colleagues, we should economize. A number of appropriations were asked for which are absolutely needed by our people. It seems to me we could very well cut this down to \$125,000.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama.

The amendment was rejected.

The Clerk read as follows:

SEC. 5. The commissioner general, with the approval of the Secretary of State, may receive from any source contributions to aid in carrying out the general purpose of this act, but the same shall be expended and

accounted for in the same manner as any appropriation which may be made under authority of this act. The commissioner general is also authorized to receive contributions of material to aid in carrying out the general purpose of this act, and at the close of the exposition or when the connection of the Government of the United States herewith ceases, under the direction of the Secretary of State, shall dispose of any such portion thereof as may be unused, and any building which may have been constructed and account therefor.

With the following committee amendment:

Page 5, line 1, strike out the word "herewith" and insert the word "therewith."

The committee amendment was agreed to.

The Clerk concluded the reading of the resolution.

The CHAIRMAN. The Chair desires to make a statement. The Clerk has called the attention of the Chair to the effect of the amendment in line 2, on page 2, where the word "two" was changed to "one." The reading is rather strange, to the effect that the commissioner general shall prescribe the duties of the one commissioner. The Chair suggests that by unanimous consent the action of the committee in adopting that amendment as to the word "two" be vacated and the word "two" stricken out without any substitution therefor. Is there objection?

There was no objection.

Mr. HOCH. Mr. Chairman, I move to strike out the last word, merely for the purpose of suggesting that the word "commissioners" should be changed to "commissioner."

The CHAIRMAN. The understanding of the Chair is that that action has been taken. The Chair suggested merely the striking out of the word "two" without any substitution therefor.

Mr. HOCH. But the word "commissioners" should be changed to "commissioner."

The CHAIRMAN. The Chair is under the impression that he put the question on vacating the action as to the amendment with reference only to the word "two." However, without objection, the RECORD will be made to conform to the suggestion of the gentleman from Kansas.

There was no objection.

Mr. FISH. Mr. Chairman, I move that the committee do now rise and report the resolution back to the House with the amendments, with the recommendation that the amendments be agreed to and that the resolution as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDELOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the resolution (H. J. Res. 311) for the participation of the United States in an exposition to be held at Paris, France, in 1931, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the resolution as amended do pass.

Mr. FISH. Mr. Speaker, I move the previous question on the resolution and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is now on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FISH, a motion to reconsider the vote by which the resolution was passed was laid on the table.

ADDRESS OF DR. JULIUS KLEIN, ASSISTANT SECRETARY OF COMMERCE

Mr. DOWELL. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing an address by Dr. Julius Klein, Assistant Secretary of Commerce, on the subject of roads as business builders, delivered through the courtesy of the Columbia Broadcasting system on May 25, 1930.

The SPEAKER. Is there objection?

There was no objection.

The address is as follows:

#### ROADS AS BUSINESS BUILDERS

The meaning of good roads in the social life and commercial activity of the United States was brought home to us very vividly a few short weeks ago when President Hoover signed the Dowell bill—certainly one of the most notable pieces of legislation in the history of the highway program in this country. This act appropriates \$300,000,000 of Federal money to aid the States in the consideration of roads during the next three years. Its economic importance would be difficult to exaggerate.



The subject of the commercial value of roads is particularly timely now, I feel, because reports recently made to Secretary Lamont by the governors of 35 States indicate really striking activity in highway construction this year. Thirty States report increases, and 16 of the governors announce contract awards so far this year, 100 per cent or more above the same period last year. Contracts for highways reached the total of \$196,678,000 during the first four months of 1930, against \$142,668,000 during the corresponding period of 1929. The greatest relative increases, I find, are in Ohio and Idaho; in the former State the road-construction awards for the first three months of this year were eleven times greater than in the corresponding quarter a year ago, while Idaho shows awards more than ninety times as large as last year. Arkansas is now in the midst of a highway-development program on which \$25,000,000 will be expended this year.

Secretary Lamont has expressed the opinion that the great increase in early season highway construction is a matter of national moment. It represents a substantial contribution to the stabilization of business. There is reason to believe that the large volume of early awards is especially significant as a means of spreading employment throughout the year. I shall say more, in a few moments, about the business value of the highways after they have been completed, but I want to emphasize now that highway-construction operations under way involve the use of millions of tons of material drawn from widely separated sources, and they provide employment (both directly and indirectly) over broader areas than any other type of public work. It is calculated that nearly 50 cents of each dollar spent for highway building and maintenance is paid for the labor involved. And this does not mean merely the able shovel wielders out in the hot sun; it includes makers of cement, in distant cities, chemists in explosive plants, steel workers, lumber-yard employees, and countless others who contribute to the creation or selling of road and bridge materials. So workers everywhere should benefit greatly from these road-building enterprises, and transportation agencies will derive appreciable profits from the shipment of the essential equipment and material.

The extent and quality of a nation's roadways determine, to a high degree, its rank in the material civilization of the present day. For contemporary commerce the highway is absolutely indispensable. Backwardness and sluggishness, or turmoil and bewilderment, may result from a lack of highways over any considerable area of the surface of the earth.

What one may call, perhaps, the "religion of the road" was established for the modern world by the practice of ancient Rome. The Roman road—incomparably magnificent in the skill and solidity of its construction and in the undeviating pertinacity with which it was thrust out in every direction from the city by the Tiber—enabled Rome to become the mistress of the Mediterranean and of practically all the then known world. Those roads formed an intricate and gigantic network stretching out to Spain, to Scotland, to Germany, to Syria, to Egypt, and through northern Africa. Sometimes as much as 3 feet thick and almost as enduring as primeval rock these Roman highways struck straight for definite goals. They penetrated forests, surmounted morasses, formed an avenue of life through barren wildernesses, or functioned as the busy arteries of a rich and smiling countryside. Over them thundered the Roman legions, and in the wake of the legions came the Roman law, the "Roman peace."

Most of our early American statesmen were passionately enthusiastic about the value of roads. We find that brilliant Carolinian, Calhoun, saying, in the year 1819, that "a judicious system of roads, constructed for the convenience of commerce and the transportation of the mail, would—by consolidating our Union and increasing our wealth and fiscal capacity—add greatly to our resources."

So in those early days there was a period that was called "the turnpike era," when roads were penetrating far into the stagnant rural "back country" and when turnpike and bridge companies became a veritable "craze." In swampy places the people had so-called corduroy roads, consisting of logs placed close together and covered lightly with earth. I must not forget to mention the "Wilderness Road," which Daniel Boone hewed out from North Carolina to the heart of the Kentucky country. It was ungraded, it was partly obstructed by stumps, it was full of annoying cavities, but over it journeyed the grandparents of Abraham Lincoln. Then there was the famous "National Road," which was started from Cumberland, Md., in 1808; as Malcolm Keir reminds us, it took 3 Presidents, 10 Congresses, and 14 governmental acts to get that road even as far as Wheeling, W. Va., about 125 miles, within a period of nine years.

Occasionally, even in the early nineteenth century in this country, one might see the typical 2-wheeled peasant's cart of Europe, but the real long-distance freight carrier came to be the Conestoga wagon, high from the ground, to clear those stumps and rocks, and with a peculiar curved shape, actually a crude boat on wheels, useful in crossing deep streams.

All that life upon the highways was extremely picturesque, but uncomfortable and trying, because, by our modern standards, those roads were very poor.

Most of us Americans who are not excessively young can recall very well the "pregood-roads" days out in the country districts—the narrow

dirt strips; the ruts and bogs and bumps and ridges; the treacherous holes where the old gray mare might stumble and collapse; the jolting and bouncing; the "slithering" through long sections of the highway, which, as a result of rains, had become little more than swamps. It was a task in those days—a feat of endurance and hardihood in many cases—merely to make 15 miles to "get to town" in a buggy or in one of the hard, lumbering, old-fashioned country wagons, to say nothing of undertaking any prolonged or extended trips.

And what, we may ask, was the social effect—or, more specifically, the business effect—of that condition? Transportation was impeded. The movement of people and of goods was slowed up, made difficult. There was a natural hesitation about venturing far from one's own balliwick in any case where roads alone were available for movement. The tendency was one of isolation, of segregation, of social and commercial life concentrating contentedly in and around a countless number of small centers—the crossroads settlement, the hamlet, the village, the little city.

Each of these centers enjoyed a rather high degree of economic independence, being in large measure self-sufficient and self-sustaining. Each had its "sphere of influence," in which a spirit of neighborly understanding reigned and commercial interchange was restricted very largely by the geographic limitations of the given region. A business establishment in any one of these more or less isolated centers had a trade it could depend upon as long as its service should continue satisfactory—a trade that came to it naturally and inevitably in consequence of the lack of hard, smooth highways and speedy transportation.

Good roads have revolutionized the business of the Nation, and "the end is not yet." A profound change in commercial habits has been wrought by those thousands and thousands of miles of sleek, gleaming road ribbons that we have created for ourselves and over which we dash so swiftly and exultantly, with the exhilarating sensation that we are setting space at naught.

Under the resistless compulsion of the automobile's spread, the good-roads movement here in the United States has advanced with giant strides. Let us hark back for a moment to the year 1904. How much money do you think was being expended by State and Federal Governments in that year for rural highways? Only a little more than two and one-half million dollars—incredible as that tiny figure may seem to us to-day. In 1928, the most recent year for which we can obtain complete statistics, the comparable figure was more than \$827,000,000—three hundred and thirty times as much. And, in addition to that huge sum, the expenditures of counties and other local governments for roads in 1928 reached a total of \$832,000,000. Since 1921 the aggregate expenditures for roads in this country have mounted above a billion dollars every year.

According to the very best estimates I can obtain, we now have in the United States more than 3,000,000 miles of public roads. This, to be sure, includes roads of all classes outside the limits of municipalities and is made up largely of local roads of small importance. We have 660,000 miles of surfaced roads. The Federal-aid system—which includes the roads of highest traffic importance—comprises nearly 190,000 miles, a system of splendid highways which would extend almost eight times around the world if it were in one unbroken road. Our roads form an admirable system in many respects, but it is widely felt that we need more.

I spoke a moment ago about the enormous annual expenditure in this country for road construction. But, as Mr. T. H. MacDonald, the chief of the Bureau of Public Roads, has pointed out, this expenditure equals only one-half of the annual expenditure by owners of motor vehicles for gasoline alone. The public applauds the expenditure of money for good roads; it recognizes that this use of funds is economically wise, farsighted, and remunerative. Because of the existence of the fine hard-surfaced roads the great motoring public spends vastly less than it otherwise might for such items as gasoline, operating expenses, and upkeep of cars. There can be no doubt whatever that the amount thus saved exceeds the sums that we have been spending on our roads.

During 1929, by the way, our motor vehicles probably consumed more than 14,000,000,000 gallons of gasoline. If we figure 12 miles per gallon—which appears to be the approximate average consumption by vehicles of all makes and types—we are compelled to conclude that the motor cars of the United States traveled more than 168,000,000,000 vehicle-miles last year. As Mr. MacDonald says, this is "an almost inconceivable figure," made possible by our improved roads and streets.

I know I need not stress the commercial value and the value in health and pleasure of such great modern roads as the Lincoln Highway, the Dixie Highway, the Boston Post Road, the Lee Highway, the Yellowstone Trail, the Pacific Highway from British Columbia to San Diego, and numerous others that come readily to mind. Along these superb roads our millions of motor cars whirl us over ground that once resounded to the clatter of the roofs of red warriors—that witnessed the desperate struggles and determined advance of the covered-wagon days—or that shook under the tread of the gallant heroes wearing the uniforms of blue and gray.

We all know what good highways have meant to the automobile industry in all its ramifications and affiliated branches, how motor-car regis-



trations have leaped upward with the construction of fine roads, bringing prosperity to the manufacturers, to the manifold industries that are tributary to such manufacture, and to the many phases of automotive service and accessory supply. The automobile forms indisputably a basic key industry in this country; it provides employment for 1 out of every 10 of the workers in the United States. Therefore the business benefits from good roads in this single major aspect may justly be called immense.

Good roads have helped the farmer by cutting the cost of getting his produce to market. They have reduced the expense of merchandising, and the economies thus effected have meant money in the pockets of every single one of us. The farmer can ship perishable commodities to the city much more readily; such is the case with all sorts of "garden truck" and fruit that ripens on the trees. The shipper does not need to wait to accumulate a carload lot; he can deliver the produce right into market and dispose of them immediately to good advantage. I find that in certain instances the supply of milk to cities is carried on over the highways to the extent of more than 90 per cent of the quantity consumed. Activity of this kind has taken some traffic from the railways—but in general the operation of trucks over the roads is helpful to the rail lines; the trucks serve as "feeders," accessories, tapping new territory, engendering new productive efforts.

For the manufacturer, there is the possibility of swift "interplant exchange" of commodities in course of production—an exchange accomplished by truck—in cases where it is most convenient to have one operation performed in one place and other operations elsewhere.

As regards passenger traffic in other than private cars, I need only say that to-day busses carry more than 3,000,000,000 passengers annually in the United States—twenty-four times the total population of the country.

The feasibility of prompt delivery represents one of the greatest commercial contributions of the motor road. The small-town store can keep a fresher stock, can enjoy a quicker turnover, is relieved of the necessity of having so large an "inventory," and can "keep up with the styles" much more readily than in the past. The isolation, the "self-centered" quality, of the smaller community has been broken down.

In numerous respects the result has been advantageous, but there is, I must admit, another vital element here which many small-town merchants may regard with apprehension; namely, the fact that their once exclusive province has been laid open to invasion by business organizations spreading from the cities, and the motor road has been responsible in part for such incursions. This is so big a subject that I shall defer it till another talk on the general theme of the business future of the small town along with the rôle that the modern road is playing in the decentralization of industry and the rise of factories in smaller centers.

To illustrate effectively the specific business benefits from roads, let us take just one State as an example. North Carolina should serve admirably as a "test case." Between 1919 and 1926 that State constructed \$125,000,000 worth of highways. And with what economic result? The number of farms in the State was increased by 13,000 during a period when the number of farms for the country as a whole was falling off. It may be objected that, in view of existing surpluses, greater agricultural production is not needed; but the point to be borne in mind is that the roads make it possible to organize the situation more definitely and efficiently.

Forty cooperative farm marketing associations were developed in North Carolina—engaged in shipping carload after carload of poultry, eggs, hogs, fruits, and vegetables that the State formerly never grew for outside sale. Roadside markets and city curb markets—the immediate result of the good roads—stimulated the growing of truck produce and formed an outlet for the farm surplus. With the cash thus obtained the farm women put modern conveniences into their homes, dressed themselves and their children better, painted their houses, and beautified their yards, thus creating substantial business for a variety of merchants. The true value of North Carolina property multiplied eight times between 1900 and 1926, while the entire United States was increasing the true value of property by four times. Through the new roads the State was enabled to recover its "lost provinces"—those sections to the far east and west that were formerly foreign to the State so far as transportation connections of any kind were concerned. As a direct accompaniment and outgrowth of the new good road, North Carolina built consolidated rural schools valued at \$35,000,000. At Asheville there was a 200 per cent increase in dollar business between 1919 and 1926, the period during which the good roads were built. In the Winston-Salem trade territory, the retailers reported a 65 per cent increase in purchasing power per capita. The Greensboro Chamber of Commerce testified that the good roads widened the retail-trade territory of the city to an irregular area extending from 15 to 50 miles. The fine roads have given a simply tremendous boost to the State's tourist traffic. In 1920 North Carolina itself had about 140,000 motor vehicles; now it has not less than 485,000.

Here we see concrete proofs of the business benefits from highways—not idle theories but authentic and attested facts. And since those facts were summarized four years ago no doubt the benefits have multiplied.

The modern motor road has given to the business man, as an individual, a wonderful freedom of movement—an ease and flexibility in the scope of his activity—which he never enjoyed in other eras. It has relaxed all kinds of once-rigid commercial bonds. It has helped to make business fluent, copious, easily impelled and diffused, swift to reach its goals—and vastly more complex than anything our fathers knew.

One great problem that the motor road has brought is that of highway safety. There is no blinking the fact that countless tragedies have marred its use. What can we do to prevent it from becoming a modern Moloch, to which precious lives are sacrificed in a frantic, heedless speed orgy? This question of safety on our streets and roads is an enormously vital one, with important business bearings. I shall try to say something about it next Sunday at this time.

Until then, good-night—and thank you very much.

#### RENEWAL OF PASSPORTS

Mr. FISH. Mr. Speaker, by direction of the Committee on Foreign Affairs, I call up the bill (H. R. 10826) to provide for the renewal of passports.

The SPEAKER. The gentleman from New York calls up a bill, which the Clerk will report.

The Clerk read the title of the bill.

The SPEAKER. This bill is on the Union Calendar, and the House automatically resolves itself into the Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10826, with Mr. CHINDELOM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 10826, which the Clerk will report.

The bill is as follows:

*Be it enacted, etc.,* That section 2 of the act entitled "An act to regulate the issue and validity of passports, and for other purposes," approved July 3, 1926 (U. S. C., Supp. III, title 22, sec. 217a), is amended to read as follows:

"Sec. 2. That the validity of a passport or visa shall be limited to a period of two years: *Provided*, That the Secretary of State may limit the validity of a passport or visa to a shorter period and that no immigration visa shall be issued for a longer period than that specified in the immigration act of 1924 or amendments thereto: *And provided further*, That a passport may be renewed, without additional charge, under regulations prescribed by the Secretary of State, for periods of not to exceed two years each, but the final date of expiration shall not be more than six years from the original date of issue.

Mr. FISH. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from New York asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. FISH. Mr. Chairman, I yield 10 minutes to my colleague from New York [Mr. O'CONNELL].

Mr. LAGUARDIA. Mr. Chairman, I shall ask recognition in opposition at the proper time.

Mr. O'CONNELL. Mr. Chairman, this bill amends the existing passport law so as to permit the holder of an American passport to renew it so that it would be valid for a period of six years instead of for two years, as under the present law. The purpose of the amendment herein proposed is perfectly plain and is unanimously recommended by our committee after exhaustive hearings and after the receipt of letters of indorsement from leading business men in all sections of the country.

Section 2 of existing law reads as follows:

That the validity of a passport or visa shall be limited to a period of two years: *Provided*, That the Secretary of State may limit the validity of a passport or visa to a shorter period and that no immigration visa shall be issued for a longer period than that specified in the immigration act of 1924 or amendments thereto: *And provided further*, That a passport may be renewed without any additional charge under regulations prescribed by the Secretary of State, and at his discretion to bona fide teachers, but the final date of expiration shall not be more than four years from the original date of issue.

This made a distinction between the business man or tourist and the teacher.

At the hearings representatives appeared and were heard from the Department of State and the Department of Commerce, the two branches of the Government immediately concerned with this legislation, which has their hearty indorsement. The principal thing that this amendment seeks to obtain is the matter of convenience to those of our people who, for business or pleasure, find it necessary to go abroad, and who in the past complain of the inconvenience that comes to them in connection not only with the necessity of obtaining frequent

passports but the many visas the traveler is compelled to get at great expense in order to conduct his business in many of the foreign countries he must visit in the pursuance of his profession. However, practically every witness that appeared before the committee in the course of the hearing stressed the matter of convenience as the most desirable feature of the proposed amendment. It was brought out that many governments furnish their nationals with passports that extend for five years; namely, Great Britain, Canada, Germany, Switzerland, and Denmark, and as a result the responsibility of a great deal of the trade that possibly comes to our country, as well as to South American countries, was perhaps due to the attitude of the countries I have specified to make it easier for the business men and their nationals of every kind to travel freely abroad.

The opinion prevailed among the witnesses that if we could say to the travelers of this country that the passport is made available for six years, merely by a renewal every two years for a period of three times, we would establish not only a greater contact and a greater business with other countries but would be taking a far step forward toward promoting understanding, good will, and fellowship among the nations of the world.

The Director of the Bureau of Foreign and Domestic Commerce of the Department of Commerce indorsed the proposed amendment before the committee upon the statements made to the department repeatedly by business men at home and abroad. Being in touch with every American firm that is doing any foreign business they are constantly hearing from these houses of the difficulties connected with our passport situation. Many of these are large representative organizations, and the costs of the passport are not of such vital consideration. It is the convenience, the ability to obtain the passport renewal at short notice without the necessity of having to make an application for a new passport, with consequent delay, that works the hardship, and in many cases a monetary loss, to our traveler business men who pursue their trade in foreign countries. Under this amendment our merchants or their representatives would be permitted to leave for Europe in a few hours in an emergency by sending a messenger to the passport office for a renewal, and thus be enabled to catch a ship. We are therefore encouraging our business men in promoting our foreign trade and placing our merchants upon an equality with the business representative of all other nations.

In brief, this is a summary of how the committee feels with reference to this proposed amendment, and I may say that we had before the committee Mr. Peter Fletcher, president National Council of American Importers and Traders (Inc.), New York City; Mr. S. C. Mead, secretary and treasurer Merchants Association of New York, New York City; Mr. C. A. Richards, chairman Foreign Trade Commission, Merchants Association of New York; Mr. C. B. Dodds, Washington representative, San Francisco Chamber of Commerce; Mr. Ivan E. Goodner, Los Angeles Chamber of Commerce; Mr. David Lindsay, assistant passenger traffic manager International Mercantile Marine Co., New York City; Mr. W. L. Cooper, director Bureau of Foreign and Domestic Commerce, Department of Commerce, Washington, D. C.; Hon. Wilbur J. Carr, Assistant Secretary of State, Washington, D. C.

In addition to this we have received hundreds and hundreds of letters from the business people of the country indorsing this proposed legislation. The bill comes with a unanimous report from the Committee on Foreign Affairs and it is the firm conviction of the committee that this is a step in the right direction and one that will turn out very satisfactorily to all those who have occasion to use the passport service.

Mr. PATTERSON. Will my colleague yield?

Mr. O'CONNELL. Certainly.

Mr. PATTERSON. I want to ask about the charge of \$5 to teachers.

Mr. O'CONNELL. I may say to my friend that that is an amendment that was offered in committee to which I understand there is some opposition.

Mr. LA GUARDIA. That is my opposition to the bill.

Mr. O'CONNELL. Under the law as it stands at the present time teachers are given the same consideration that any other traveler receives in the matter of the cost of the original fee, but they have four years as the life of their passport, whereas the business man or other traveler has but two years. This amendment was offered by certain members of the committee and it was not objectionable to the author of the bill and he accepted it.

Mr. PATTERSON. Do I understand that a business man would only pay \$2?

Mr. O'CONNELL. No; the business man pays an original fee of \$10 and at the end of each two years, if he cares to renew the passport, he pays \$2 additional. The teacher gets

a passport for the same period of time, which is six years, and pays the original fee of \$5 and \$2 with each renewal of two years.

Mr. PRALL. Will my colleague yield?

Mr. O'CONNELL. Certainly.

Mr. PRALL. Is it not the fact that all the large civic bodies and business men's organizations of the country have indorsed this bill?

Mr. O'CONNELL. Yes. I thank my colleague from New York for his contribution. I have made some reference to that, and in the back of the hearings we have printed about one-half of the names of people from whom we have heard.

I may say to my friend that the idea in granting this concession to the teachers is that in the judgment of the members of the committee, sending a teacher abroad or having a teacher pay his or her own expenses to a foreign country makes such a teacher more valuable when he or she comes back to the schools of our own country. They come back endowed with additional knowledge and they are better informed on subjects that are of interest to their pupils, and they also enlarge their knowledge of conditions, not only at home but abroad. For this reason the committee felt they ought to continue the consideration which the teacher has heretofore received.

Mr. PRALL. Will the gentleman yield further?

Mr. O'CONNELL. Yes.

Mr. PRALL. Does the gentleman understand that a teacher gets credit in certain examinations for traveling, and it also gives them certain credit in their standing in the departments of education? I know that is true of New York.

Mr. O'CONNELL. That information, coming from my colleague from New York [Mr. PRALL], who for several years was the distinguished president of the Board of Education of Greater New York, is a real contribution, and I thank him for it. I did not know that to be the fact.

Mr. LA GUARDIA. Mr. Chairman, I ask recognition in opposition to the bill.

Gentlemen, my objection to the bill is the proviso which has been referred to in the questions asked the gentleman from New York [Mr. O'CONNELL] who has just relinquished the floor. The renewal features of the bill are desirable. There is no reason why an American citizen who has a passport should have to make a new application every two years. By simply submitting his old application he would receive a renewal, and this is desirable. Now, we come to the proviso which reads, "that the charge for the issue of an original passport to a bona fide teacher, so determined to be by the Secretary of State, shall be \$5." Why not make it \$5 for everybody? That would remove all discriminatory features of the bill.

The original charge for a passport is \$10. Gentlemen, it is wrong to make any discrimination in fees of any kind at any time in a democracy. I will grant the great advantage of teachers going abroad to study, but let me suggest if you put teachers there, you might as well put students. If you put students there, you might as well put artists. Then, if you put artists there, you might as well put clergymen. If you put clergymen, you might as well put veterans.

Mr. PRALL. Will the gentleman yield?

Mr. LA GUARDIA. Certainly.

Mr. PRALL. Is it not true that all transportation lines—steamship companies and others—give half rates to ministers and clergymen?

Mr. LA GUARDIA. And different accommodation; but this passport is just the same as any other passport. Sure, one can go across in the tourist class, but I know my distinguished friend does not go in the tourist class.

Mr. PRALL. Is it not the fact that they get good accommodations?

Mr. LA GUARDIA. Yes; but they do not get the same accommodations.

Mr. PRALL. They get the same accommodations at the price ordinarily asked.

Mr. LA GUARDIA. They are good accommodations.

Mr. PRALL. What is the difference between this and railroad transportation?

Mr. LA GUARDIA. You do not have to get a passport to travel on a train in this country—we are talking about steamship transportation for the purpose of traveling in foreign countries. If you are going to give this to teachers, there will be an amendment for students, and then for other classes.

Mr. LINTHICUM. Will the gentleman yield?

Mr. LA GUARDIA. I yield.

Mr. LINTHICUM. The law has favored teachers in other particulars. The gentleman from Virginia [Mr. MOORE] introduced an amendment, now the present law, where teachers had the right of renewal for two more years.



Mr. LAGUARDIA. Yes; but here you will find a communication from the Department of State where it approves of your renewal and says this:

The department favors the passage of the proposed bill, which provides a more liberal period of validity for passports issued to all classes of American citizens alike and eliminates the discrimination now existing in favor of teachers whose passports at present are extended for a period of two years beyond the period of validity allowed under the law for passports issued to all other classes of citizens.

That is the letter from the Department of State.

Mr. LINTHICUM. This is an amendment by the committee, and the committee is right.

Mr. LAGUARDIA. The Department of State is right, and the committee is wrong, because it is bad to establish such a discrimination. If you want to make it \$5 for everybody, I will gladly go along.

Mr. BLOOM. Will the gentleman yield?

Mr. LAGUARDIA. Yes.

Mr. BLOOM. You could not put the fee at \$5 unless other countries do the same. It would be impossible for the department to get consent of other nations.

Mr. LAGUARDIA. The gentleman refers to the reciprocal rights under the treaty for visas. This is different. We can charge anything to our nationals.

Mr. ROMJUE. Will the gentleman yield?

Mr. LAGUARDIA. I yield.

Mr. ROMJUE. Do not we have a discrimination made in people coming to this country, like physicians, artists, and so forth? Do we not discriminate in their favor and allow them to come in with more freedom?

Mr. LAGUARDIA. No; if they come here to stay permanently they must come in under the quota. If they come under a contract to perform, they can come in under treaty rights.

Mr. ROMJUE. But they are given greater rights by reason of the calling that they are engaged in.

Mr. LAGUARDIA. Oh, yes.

Mr. ROMJUE. It seems to me that there is no difference in principle.

Mr. LAGUARDIA. But why do they pick out school-teachers; why not put in students?

Mr. ROMJUE. It might be well to include students. But it is no argument against school-teachers that students are not included.

Mr. LAGUARDIA. How about clergymen who want to go to the Holy Land?

Mr. ROMJUE. They might be included.

Mr. LAGUARDIA. Once you start to discriminate there will be no end. The only fair way is to strike out the proviso and treat all alike.

Mr. PRALL. Will the gentleman yield?

Mr. LAGUARDIA. I yield to my colleague.

Mr. PRALL. Is it not the gentleman's information that the most of these teachers in going abroad do so for educational purposes?

Mr. LAGUARDIA. Oh, yes. I suggest we make it \$5 for all. Mr. Chairman, I reserve the balance of my time.

Mr. FISH. Mr. Chairman, I yield to the gentleman from Maryland [Mr. LINTHICUM] five minutes.

Mr. LINTHICUM. Mr. Chairman, the gentleman from New York [Mr. LAGUARDIA] and I usually agree on matters, but it seems we differ as to this provision as to teachers. Teachers, as a rule, do not get very large salaries, and dollars to many of them are as big as cart wheels. Wherever we can help the teachers in securing more knowledge that they may bring back to use in their classrooms and impart to their pupils we should do it. The present law carries a provision that a teacher may have a passport renewed for the term of four years. So this provision for \$5 does not do any more than the present provision, because if the teacher renews the passport for four years she would pay only \$10. This provision I think as provided in this amendment would do much good for teachers. There are many teachers who go abroad. They go probably only once in a lifetime and they do not desire a renewal of the passport.

If you charge them \$10, they always pay the \$10, but with business men going abroad, they get a passport, and they pay the \$10 and they get a renewal, two renewals, and they can extend it for six years. This provision does not make it so hard on the teacher who goes abroad only once. I think you gentleman know just how it is in reference to teachers. They get up a group and go abroad, and visit places which would be of interest to their pupils and to themselves. It seems to me that the provision for the teachers charging them only \$5 is entirely a proper provision, and I hope it will prevail.

Mr. PRALL. Mr. Chairman, will the gentleman yield?

Mr. LINTHICUM. Yes.

Mr. PRALL. Does the gentleman know that it is a fact that the departments are now granting sabbatical leave to teachers in order that they may go abroad and acquire knowledge to impart to children?

Mr. LINTHICUM. I do not know it, but if the gentleman says so, I am sure it is correct.

Mr. PRALL. That is correct.

Mr. LINTHICUM. I do know this. There is no knowledge which you can have which is better than the knowledge you get from traveling and seeing places personally. A personal view of a place remains with you for a lifetime, and you can explain it to people, but merely reading about it, even seeing moving pictures, does not give the same result. I hope the amendment will prevail.

The CHAIRMAN. There being no further general debate, the Clerk will read the bill for amendment.

The Clerk read as follows:

*Be it enacted, etc.,* That section 2 of the act entitled "An act to regulate the issue and validity of passports, and for other purposes," approved July 3, 1926 (U. S. C., Suppl. III, title 22, sec. 217a), is amended to read as follows:

"Sec. 2. That the validity of a passport or visa shall be limited to a period of two years: *Provided*, That the Secretary of State may limit the validity of a passport or visa to a shorter period and that no immigration visa shall be issued for a longer period than that specified in the immigration act of 1924 or amendments thereto: *And provided further*, That a passport may be renewed, without additional charge under regulations prescribed by the Secretary of State, for a period of not to exceed two years each, but the final date of expiration shall not be more than six years from the original date of issue."

With the following committee amendments:

Page 2, line 3, after the word "renewed," strike out "without additional charge" and insert "upon the payment of \$2."

Line 7, strike out the period at the end of the line, insert a colon, and the following: "*And provided further*, That the charge for the issue of an original passport to a bona fide teacher, so determined to be by the Secretary of State, shall be \$5."

The CHAIRMAN. The question is on agreeing to the first committee amendment.

The first committee amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the second committee amendment.

Mr. CRAMTON. Mr. Chairman, I offer the following amendment to the second committee amendment.

The Clerk read as follows:

Amendment by Mr. CRAMTON: Page 2, lines 9 and 10, strike out the words "to a bona fide teacher, so determined to be by the Secretary of State."

The CHAIRMAN. The Clerk will read the committee amendment as it will be if the amendment of the gentleman from Michigan is agreed to.

The Clerk read as follows:

*And provided further*, That the charge for the issue of an original passport shall be \$5.

Mr. CRAMTON. Mr. Chairman and gentlemen of the committee, the bill as introduced in the House I would have no objection to, but to the committee amendment which provides a discrimination in favor of one class of our people as to the fee for a passport I do object. If the committee amendment is agreed to we then will have teachers paying \$5 for a passport and everyone else paying \$10.

Mr. O'CONNELL. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. O'CONNELL. For the past six years the teacher has had the advantage of the four years' life of the passport, whereas the regular business man or the tourist has had but two years.

Mr. CRAMTON. Yes; and that very discrimination gave rise to criticism and to agitation which has helped bring about this legislation removing that discrimination; but when the committee proceeds to remove that discrimination they turn to another one; and, without desiring to criticize the committee, that is the effect of what they have done. I have proposed an amendment that does not disturb the change that is proposed with reference to renewals; but it takes away this new discrimination without injuring the teachers at all. That is to say, if my amendment be adopted not only the teacher will get his passport for \$5 but every other citizen will get his for \$5.

Mr. COLE. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. COLE. Would it not be better to strike out the special concession to teachers and leave the price of the passport as it is in the bill at \$10, in view of the fact that we are permitting these passports to be renewed? It seems to me that the price of \$10 is cheap enough.

Mr. CRAMTON. Mr. Chairman, the present law is \$10. The committee recommends \$5 for teachers. My amendment proposes \$5 for everyone. To 19 out of every 20 who go abroad, and I am only estimating, it is quite immaterial what we do with reference to renewals. They do not make more than one trip in four or five years, so that the original fee is the only one that affects the great majority of those who go abroad. Those who do go abroad frequently, of course, receive the benefit of the earlier part of the bill. I have believed for a long time that this Government has been charging fees that are higher than they ought to be for passports and visas, and here is an opportunity now to correct the situation with reference to the passport fee. I have a letter from the Detroit Board of Commerce under date of May 19, which reads:

DEAR MR. CRAMTON: The foreign trade committee of the Detroit Board of Commerce has at times expressed its desire for alleviation of passport regulations.

We would, therefore, urge your support of Representative O'CONNELL and the passage of his bill, H. R. 10826.

Michigan foreign trade has reached \$1,000,000 a day. Upon its continuance depends Michigan's prosperity. All measures that facilitate our salesmen journeying overseas and increase visits from foreign merchants deserves special support.

Yours very truly,

L. G. MACOMBER, *Director.*

Under the same date I have a letter from the New York Board of Trade signed by M. D. Griffith, general manager. It refers to the Copeland bill, similar to this bill before us.

NEW YORK BOARD OF TRADE (INC.),

New York City, May 19, 1930.

DEAR CONGRESSMAN: We are inclosing you a copy of the report which was presented at our regular monthly meeting last Wednesday by our special committee on passports, and which was approved thereat, including resolution unanimously indorsing Senate bill 2627, known as the Copeland bill, which not only extends the life of the passport from two to six years, without extra charge, but also reduces the passport fee from the war-time basis of \$10 (ten times as much as it was before the war) to a more moderate basis of \$5.

We understand that H. R. 10828, known as the O'Connell bill, which has been reported out of committee amended is to come before the House in general session some time this week.

We, therefore, desire to recall your attention to the facts in brief, and solicit your cooperation in amending the O'Connell bill to conform to the Copeland bill, or, even if practical, to reduce the passport fee still lower than is at present provided.

The fact that the House Committee on Foreign Affairs in answer to our earnest plea at its hearing in Washington on May 15, representing the business men of this city and thousands of persons of moderate means who travel in one class and tourist cabin, have conceded that passport fees are too high by reducing them to \$5, but only in the case of school-teachers. We would respectfully point out that this is distinctly class legislation, because you are benefiting one class only while leaving the many others—professional or so-called "white-collar" class—to pay an excessive passport fee.

We would remind you that the Chamber of Commerce of the United States, the Chamber of Commerce of the State of New York, this board, and many chambers of commerce and boards of trade throughout the United States, whose names can be furnished upon request, have for some time demanded that passport fees be reduced to a nominal basis, and, in addition, many Members of the House and Senate have written to this board declaring that they would support such a move.

It may be of interest for you to know that within the last week or two the French Government, through its Chamber of Deputies by regular vote, abolished all embarkation and debarkation fees, so as to remove all "travel barriers" against American tourists.

Very respectfully yours,

M. D. GRIFFITH, *General Manager.*

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. CRAMTON. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CRAMTON. According to my recollection, in Italy during the last year all the visa fees were done away with. The general tendency is in that direction.

So far as the cost to the Government is concerned, \$5 very well covers it, and more too. To charge \$10 is engaging in the business at a profit. I can not see that the conditions justify

financing the Government by charges to those going abroad, not only teachers but those in the medical profession or other professions. Others who receive benefits thereby should have the same benefits as teachers.

Mr. ANDRESEN. Mr. Chairman, will the gentleman yield?

Mr. CRAMTON. Certainly.

Mr. ANDRESEN. Can the gentleman give us an idea as to the amount received from the present passport fees?

Mr. LINTHICUM. It is \$2,700,000.

Mr. O'CONNELL. The passport fees collected during the fiscal year 1929 by the department were \$1,837,502, in the field \$250,288, making a total for passport fees of \$2,087,790. The visa fees collected during the fiscal year amounted to \$3,416,884. The total fees collected during the fiscal year 1929 in connection with passports and visas amounted to \$5,504,674.

Mr. CRAMTON. In view of the expressions from the business men of the country, I hope the committee will accept the amendment.

Mr. LINTHICUM. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Maryland is recognized.

Mr. LINTHICUM. Mr. Chairman and members of the committee, this matter was gone into very fully by the Committee on Foreign Affairs, and careful consideration was given to the whole proposition. To reduce the charge to \$5 would cut off an income to the Government of over a million dollars.

The Government now receives from the Foreign Service somewhere around the sum of \$7,000,000, and that \$7,000,000 has enabled the Government to give far greater service to the traveling public and to the business interests of the country than they otherwise would have received.

This Congress has voted \$10,000,000 for the construction of embassies and consulates throughout the world. It has voted out only recently a bill introduced by the gentleman from New Jersey [Mr. EATON] which will provide fuel, heat, and light to those employed in the Foreign Service.

Mr. CRAMTON. Does the gentleman mean that an individual making rarely a trip abroad should be charged so that funds so derived may be applied to the building of an embassy in Paris, for example?

Mr. LINTHICUM. If they get the benefit from it, I do not think they would object. That is not all. You know that the traveling public, and especially business abroad, are the ones benefited by the Foreign Service, and it is not fair to put more taxes on those at home who do not traveling.

Mr. CRAMTON. I do not see any more reason for that than for asking them to contribute directly to the building of other Government structures.

Mr. LINTHICUM. It is not only those traveling abroad, but big business firms sending their men over there. They acquire great wealth by reason of their representatives traveling throughout the world. While the fee is only \$10, we are providing for renewals, so that they get a passport for six years for only \$14.

Mr. CRAMTON. What is the present limit?

Mr. LINTHICUM. Two years.

Mr. CRAMTON. Now, as to the big business men who send their traveling men abroad, in this bill you will extend the renewals from two years to six years. The average traveler does not profit by this extension period, but you are urging that we keep the fee up to \$10 for them in order that we may build embassies abroad. I am asking you that you give the general public the same consideration as you are giving big business in reduced cost of passports.

Mr. LINTHICUM. Many persons go abroad every year. Some certainly go abroad as often as five or six times in the six years. They should be satisfied with a reduction from the present cost to them from \$30 to \$14 for the six years.

I am very strong on the teacher question. They go over there and bring something home. They enlarge their knowledge, they impart it to their pupils, and they should not be charged more than \$5.

Mr. CRAMTON. Do you make a distinction between teachers and the students—the students who have no income but who are preparing to teach?

Mr. LINTHICUM. I have no objection to including students, but the student goes over there for information for himself or herself, whereas the teacher goes over there to qualify himself or herself for better work.

Mr. CRAMTON. The student is preparing to be a teacher, and as yet he has no income. The doctor who is preparing to be a physician needs contact with foreign hospitals. I think it is but fair to put them all on the same basis.

Mr. LINTHICUM. It would be a tremendous loss to the Government to put them on the \$5 basis.



Certainly the cost of the Foreign Service should not rest so entirely on those at home when it is the traveler who gets the great benefit.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. LINTHICUM. I yield.

Mr. JOHNSON of Texas. Is it not true that with the average person who goes abroad the payment of this additional \$5 will be an infinitesimally small part of the expense and amount to a very little bit, but yet in the aggregate it will mean a great loss to the Treasury and the support of the State Department?

Mr. LINTHICUM. Of course, that is true. The argument has been made on this floor many times that the State Department should pay its own way. I do not agree with that, but certainly those using the service should be willing to contribute.

The CHAIRMAN. The time of the gentleman from Maryland has expired.

Mr. LINTHICUM. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Maryland asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. ARENTZ. Will the gentleman yield?

Mr. LINTHICUM. I yield.

Mr. ARENTZ. Does the gentleman from Maryland believe that a department of our Government, a bureau of our Government, should be a profit-making department? Personally I look upon these departments of Government as a place where a citizen of the United States can go and have something done, through the appropriations that are made to sustain those departments, rather than to take out of their pockets additional money. Personally I do not think that there should be any profit made in the State Department.

Mr. LINTHICUM. I do not know about profit. I am not talking about profit. I am talking about bearing a part of the expense of the service. If you drop a letter in the mail box, you pay 2 cents for the stamp. That is for service. The money received here is expended, and some five millions more, to give these men the very best service that the United States knows how to give. It is service and not profit.

Mr. PATTERSON. Will the gentleman yield?

Mr. LINTHICUM. I yield.

Mr. PATTERSON. I was impressed very much by what the gentleman from Michigan [Mr. CRAMTON] said. When Morgan goes abroad, as Amos 'n' Andy would say, "to arrange a big business proposition," I would not care if he paid a hundred dollars, but the only way to reach these students and ministers of the gospel and others who travel once in a lifetime is by this amendment. I think it should be left at \$5, and for that reason I would like to see the amendment prevail.

Mr. MOORE of Virginia. Mr. Chairman, I am a member of the Committee on Foreign Affairs, but inasmuch as I took the same position in the hearing on this bill which is now taken by the gentleman from Michigan [Mr. CRAMTON], I am inclined to support his proposal to make a straight passport charge of \$5, and in doing that avoid the possibility of the proviso being stricken out which confers a special favor on teachers.

It is stated in the hearings that ordinary tourists as well as commercial tourists not only pay a passport charge of \$10, but pay in addition on this side an embarkation charge of \$5, and on the other side pay an embarkation charge of \$5, and, of course, pay all visa charges. When the items are totaled there is a fairly heavy exaction from a person of small means who is traveling abroad. Of course, we know that if the amount is fixed at \$5 instead of \$10 for the passport there will be some reduction of revenue, but in that connection there must be considered the rather extraordinary financial situation of the State Department.

The Assistant Secretary of State, Mr. Carr, said before the committee:

The State Department, for operating expenses as distinct from those which are general charges against the Government, things that are carried under the State Department, but are really not chargeable to the State Department, the payment of our treaty obligations for the Panama Canal and things of that kind—omitting those things, the total net cost, according to the 1931 appropriation would be only \$5,600,000 to be taken out of the Treasury over and above the amount which the Government receives.

Then I asked him this question:

How much of that \$5,600,000 is represented by these passport charges?

He said "\$2,087,790."

So he shows that we are requiring Americans who travel abroad to pay the expenses of the State Department to the extent of over \$2,000,000. I can not see any good reason why that should be done any more than that people who have business with the Department of Justice or the Department of Commerce or any other department should be called upon to bear the expense of conducting the operations of any one of those departments.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. MOORE of Virginia. I yield.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. MOORE of Virginia. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for five additional minutes. Without objection it is so ordered.

There was no objection.

Mr. JOHNSON of Texas. Answering the observation just made by the gentleman, is not this true, that a large portion of the time of the employees of the Department of State and its foreign representatives is spent in handling the affairs of American citizens abroad, and is it not true that they are the beneficiaries of the services of the employees of the State Department and therefore it is proper that they should pay whatever portion of that service is right?

Mr. MOORE of Virginia. They may get some direct service that the general public, which does not travel, receives, but the Government of the United States and the entire Nation receive the benefit of the contacts of our people with foreign people. I can not see that there is any logic at all in calling upon the American traveler to take care of the State Department, especially in such a large measure as is the case now.

Mr. PATTERSON. If the gentleman will permit, the Department of Agriculture is rendering a splendid service to the farmers, yet the farmers are not required to pay for that service.

Mr. CRAMTON. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. CRAMTON. Possibly less than 1 per cent of our people go abroad. As I understand the gentleman, that less than 1 per cent are paying over 40 per cent of the cost of maintaining our foreign service.

Mr. MOORE of Virginia. That is what it amounts to, and I do not think there is any justification for that. I believe we would be doing the country a real service by cutting down this passport charge, as proposed by the gentleman from Michigan.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. MOORE of Virginia. I yield.

Mr. LAGUARDIA. I am in favor of any fee that will be uniform. I think a discrimination in favor of or against any one class is wrong. What I would like to ask the gentleman is this: The gentleman approves of the proposition to reduce the fee from \$10 to \$5. How is it the committee did not give that phase of the question consideration in committee?

Mr. MOORE of Virginia. There was a good deal said about it, I will say to the gentleman from New York, but the majority of the committee were in favor of the bill as reported, and it is here for your consideration. What I am trying to do now, for one thing, I may say to the gentleman, is by supporting the amendment of the gentleman from Michigan to save us from the possible adoption of the suggestion offered by the gentleman from New York which involves the teachers. I happen to be the author of the existing law, which does at this time create some discrimination in favor of teachers. I think the teachers are entitled to special consideration; my friend disagrees with me as to that; but if the Cramton amendment should be adopted, cutting the passport charge to \$5, we would have no further discussion of any discrimination of any character.

Mr. LAGUARDIA. The gentleman will agree that students would also be entitled to the same consideration?

Mr. MOORE of Virginia. I say that if the Cramton amendment is adopted I have no further issue with my friend from New York.

Mr. LINTHICUM. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. LINTHICUM. If we adopt the amendment of the gentleman from Michigan and retain the renewal charge of \$2, then we reduce the whole cost for six years to \$9, whereas at the present time it is \$10 for two years, except as to teachers.

Mr. MOORE of Virginia. The only change which the gentleman from Michigan proposes is to reduce the original charge from \$10 to \$5.

Mr. LINTHICUM. But the renewals would come along at \$2, so you will get a passport for six years for \$9, if you wanted



it that long, whereas now it costs \$30 for six years, except as to teachers. Does not the gentleman think that is a tremendous reduction?

Mr. MOORE of Virginia. There would be a considerable change in the revenue situation if the gentleman's amendment is adopted; but I am not afraid of his amendment. He happens to be one of the most powerful members of the Committee on Appropriations. When he advocates a reduction in passport charges, that will mean a reduction in the revenue of the Government, that diminishes any hesitation I might otherwise have in supporting his amendment.

The CHAIRMAN. The time of the gentleman from Virginia has again expired.

Mr. MOORE of Virginia. Mr. Chairman, I ask unanimous consent to proceed for three additional minutes.

The CHAIRMAN. The gentleman from Virginia asks unanimous consent to proceed for three additional minutes. Is there objection?

There was no objection.

Mr. McREYNOLDS. Will the gentleman yield?

Mr. MOORE of Virginia. I yield.

Mr. McREYNOLDS. The gentleman was asked whether the committee considered the question of reducing the passport fee to \$5. That was considered, was it not, and did not the hearings show that there was no great demand for a cutting down of the passport fee, but the complaint they made and what they desired was merely to reduce the renewals?

Mr. MOORE of Virginia. That is true. I will remind my friend, however, that the people before our committee were the representatives of the great commercial concerns and some small commercial concerns, and they were not troubled about the payment of the \$10. But I am thinking about the people aside from that group, the average traveler—and there are many thousands of them in this country—to whom \$10 is something important, and particularly so when added to the embarkation fees and visa charges.

Mr. McREYNOLDS. The gentleman made the same argument before the committee that he is now making?

Mr. MOORE of Virginia. Exactly.

Mr. LaGUARDIA. Will the gentleman yield?

Mr. MOORE of Virginia. I yield.

Mr. LaGUARDIA. Is it not true that the bill now before the House is predicated on the very fact that you have a \$10 fee for a passport, and that is why you provide three renewals at \$2 each? Now, if you reverse yourselves on that and you cut it to \$5, there is no necessity for three renewals at \$2 each, as I understand it. Because the fee was burdensome and because it was somewhat high at \$10, the committee proposes to reduce that fee to \$5 and give three renewals at \$2 each. That is your whole scheme and that is your picture. You propose to reduce the original fee from \$10 to \$5 and provide for three renewals at \$2 each.

Mr. MOORE of Virginia. The gentleman is now suggesting another point not covered by what is proposed in the Cramton amendment.

Mr. LaGUARDIA. I say that in providing for renewals you did that on the basis of a \$10 fee, and I think you have a pretty good bill if we vote down the last committee amendment, which creates a discrimination.

Mr. CRAMTON. Will the gentleman yield?

Mr. MOORE of Virginia. Yes.

Mr. CRAMTON. The report from the department emphasizes that the bill eliminates the discrimination now existing in favor of teachers.

Mr. LaGUARDIA. I pointed that out. Then they put in the proviso.

Mr. CRAMTON. The bill was reported with the desire to eliminate discrimination.

Mr. LaGUARDIA. Exactly; I pointed that out.

Mr. LOZIER. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The Chair will state that there is an amendment to the amendment pending and all recognition must be by unanimous consent. Without objection, the gentleman from Missouri is recognized for five minutes.

There was no objection.

Mr. LOZIER. Mr. Chairman, the pending bill if amended as proposed and enacted will reduce passport fees from \$10 to \$5. This will mean a loss of revenue to the State Department of approximately \$1,000,000. This loss will have to be made up from taxes collected by the Government from the American people. Reduced to its lowest terms, this bill proposes to relieve American tourists, traveling abroad, of fees amounting to \$1,000,000 which they are now contributing to the expense of our Government, and place that burden on the millions of American people who do not go abroad.

Under existing conditions I can not see the necessity for or the wisdom of this reduction. Ordinarily I favor all proposals that will reduce taxes, but in our tax-reduction plan we are not beginning at the right place. Under this bill each American traveling abroad will save \$5, or one-half of the cost of his passport, but the revenue the Government loses under this bill must be made up by higher taxes on the people in the United States who are too poor to go abroad.

As a vast majority of American tourists belong to the wealthy and many to the idle-rich class, this saving of \$5 means nothing to them. They are not only able to pay the \$10 fee, but they should not be relieved of that obligation, because the charge is not unreasonable, and \$5 to them means no more than one grain of wheat in a bushel.

The passport fee is an insignificant item in the cost of a European trip and there is no good reason why this wealthy group should be relieved of this fee, especially in view of the fact that millions of farmers are groaning under an almost unbearable burden of debt and taxation, and men and women in the humbler walks of life find it difficult to "make both ends meet" and are drifting dangerously close to the rock of insolvency. I admit that every year a large number of students and men and women of limited means visit Europe, but they constitute a comparatively small part of the great multitude of Americans who during each summer season visit the cities, lakes, and mountains of Europe in pursuit of pleasure, ease, and relaxation.

Of course these students would like to have this fee reduced, and I would favor such reduction if by so doing I could avoid increasing the tax burden of the people who do not go abroad. If a person is financially able to tour Europe, he or she is able to pay the \$10 passport fee, which is not an unreasonable charge, especially in view of the fact that much of the time of our ambassadors, ministers, consuls, and other representatives is consumed in entertaining and serving American tourists. The \$10 passport fee is an infinitesimal part of the expense of a European tour, especially when it must follow, as night follows day, that whatever reduction we make in these passport fees must be made up by increasing the tax burdens on some other group of people, or in withholding from other classes of our citizens a corresponding reduction in their tax burdens.

Americans traveling abroad spend approximately \$750,000,000 annually. The \$1,000,000 that tourists would save under the pending bill is an exceedingly small part of this expense. Until men and women in the humbler walks of life are relieved of some of the tax burdens under which they are now laboring, I think we are justified in maintaining the present charge to tourists for passports.

In this connection I desire to submit a few observations on another question which I think is of vital interest to the American people. It is generally understood that the Hoover administration contemplates an increase in postal rates, especially rates on first-class matter. It is claimed that the Post Office Department has been running behind and is not self-supporting, and that in order to make it self-supporting postage rates must be increased. I shall vigorously oppose this program.

The Post Office Department is the one branch of our Government in which all the people in the United States are vitally and immediately interested. The Postal Service touches practically every man, woman, and child in the United States. It serves every family, rich or poor, urban or suburban, in every nook and corner of our Nation. To the great mass of American people the Postal Service typifies and symbolizes the Government of the United States. It is the only governmental agency with which the great body of our citizenry come in contact. It is the only one of the executive departments that renders anything like a service comparable with its cost.

The Post Office Department was created to serve the American people. It was not organized as a money-making proposition. For every dollar it costs, the American people receive 100 cents worth of service. It is undeniably the most efficient and serviceable of our executive departments. The Government disburses no money for which it gets greater returns than the money we appropriate to maintain our Postal Service in its present state of efficiency. For the money Uncle Sam invests in the other executive departments we get, relatively, inconsequential returns. The American people can better afford to give up two or three of the other executive departments rather than reduce the efficiency of the Postal Service.

From the creation of the Post Office Department, all things considered, it has been the best managed major activity of the Federal Government, and its operation has been at all times economical, efficient, businesslike, and practically free from scandal. Many other departments have developed extravagances, frauds, corruption, and scandals that have shocked the conscience of the Nation; but with the exception of the star-



route frauds in the post-Civil War period, the operation of the Postal Service has been free from scandal and less partisan than the administration of the other departments, bureaus, and commissions.

In my humble opinion, it is unwise to deal niggardly with this branch of service. If we are to cut and trim our expenditures, reason and common sense persuasively suggest that we should begin our economies in some of the other executive agencies of the Government.

There is no more reason why we should insist on making the Post Office Department self-sustaining than there is in insisting on legislation that will make the Interior Department, the Commerce Department, the Agriculture Department, the Department of Justice, or any of the other departments self-sustaining. No one will contend that we should make these other departments self-sustaining, although their activities in only a slight degree touch and serve the great mass of American people. While these other departments render efficient and necessary service, it is not nearly so important to each and every individual citizen as the service he receives from the Post Office Department.

The American people are not complaining because the Post Office Department spends a little more money than it collects from the public. Everybody knows that the people receive full value for such expenditure. In 1928 the Post Office Department collected from the American people \$693,633,921, gross revenue, and the service it rendered the American people involved an expenditure of \$725,699,766. That is to say, there was a deficit in 1928 of \$32,000,000. But the people did not complain, for the reason that the service furnished by the Post Office Department was businesslike, efficient, entirely satisfactory, and worth more than it cost them. The deficit in 1929 was larger, but even so, for every 100 cents the Postal Service cost the American people in 1929 they received \$1 worth of service.

The Postal Service is the most valuable activity in the business, social, civic, and economic life of the Nation. There is no yardstick by which the value of this service can be measured. On first-class mail in 1929, the Government revenues amounted to \$365,470,919.08, while it only cost the Government \$236,837,500.61 to handle this class of mail, including air mail. In other words, in 1929 the Government made a profit of more than \$78,000,000 in handling first-class mail. Whatever deficit there has been in the operation of the Post Office Department has not come from handling first-class mail, and there is absolutely no justification or excuse in raising the present 2-cent rate on letters.

I am more concerned in continuing the present system by which the Postal Service is efficiently managed, than I am in making the department self-sustaining, or in reducing the passport fees charged American tourists who are financially able to make Europe their summer playground. I have referred to these postal matters because I want this House and the country to know that there is no occasion or excuse for increasing postal rates, even though the department may not be self-supporting.

Those who argue that the Post Office Department must be self-supporting are being unconsciously deceived by a false philosophy which blinds them to the fundamental purpose which underlies our postal system. It was never contemplated that this useful agency of the Government must be self-supporting, and in this age of mammon we must not lose sight of the proposition that the Post Office Department is not a private business institution, the income of which must equal its expenditures, but it is a great governmental agency created and maintained to serve not a few but all the people of our beloved Republic. [Applause.]

Mr. O'CONNOR of Louisiana. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. Without objection, the gentleman from Louisiana is recognized for five minutes.

Mr. O'CONNOR of Louisiana. Mr. Chairman and gentlemen of the committee, I am in favor of the Cramton amendment because nothing better is offered to express my viewpoint.

If travel promotes good will, it is fundamentally illogical to tax that good will and that instrumentality. It is wrong to impose a burden upon the relatively poor people who desire to devote some part of their lifetime to travel. The rich man does not care. The relatively poor man has to care. I know this by personal experience. The ambition that throbbed in my bosom from my earliest days was to travel over Europe and view the art galleries of continental Europe. It was a worthy and honorable ambition, but money meant a great deal to me in my youth. I suppose it means something to me to-day. I had to count the dollars and save them for a long time in order to make a trip to Europe.

There are thousands and thousands of school-teachers who are struggling to keep up appearances and make both ends meet. There are thousands and thousands of very desirable people among our countrymen who are not too well off in this world's goods. They have the right to gratify their ambition to enjoy and see the finer things of life by traveling in Europe and promoting that good will which is essential to us, as it is essential to all peoples on the face of this earth.

Again, it promotes the welfare of our organization known as the United States Shipping Board. This will encourage travel, and travel is a mighty good thing for the nations and for the people that compose them. I believe there is an inscription on the façade of the Union Station here:

He that would bring home the wealth of the Indies must carry the wealth of the Indies with him.

So, too, in traveling he that would bring home knowledge must carry knowledge with him.

Let us encourage our people to go abroad after they have seen their own country, even though they have not great means. Let them come back after having established contacts there. They will be richer in experience, and the country to which they go will be better off for having seen desirable Americans, not with great money but with culture and refinement.

The amendment proposed by the gentleman from Michigan [Mr. CRAMTON] is a good amendment. My only hope was that it would have gone a little further and made the cost smaller.

I repeat in closing what I started with—it is fundamentally illogical and we ought not to tax travel, which stimulates good will and promotes the welfare of our country.

Mr. FISH. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Without objection, it is so ordered.

Mr. FISH. Mr. Chairman, I want to call the attention of Members to the fact that we have two amendments up for your consideration, one by the gentleman from New York [Mr. LA GUARDIA] striking out the discrimination in behalf of the school-teachers, and one by the gentleman from Michigan reducing the passport fee from \$10 to \$5. The proposed reduction in the cost of obtaining an American passport raises an issue of policy. I am frank to say that, as far as I am concerned, I do not care what action the House takes on the amendment of the gentleman from Michigan [Mr. CRAMTON]. I think, however, the Members of the House should know that they are voting on a question of policy. It is not only in their power to determine what that policy should be for the future, but eminently right because the House initiates revenue legislation.

Mr. MOORE of Virginia. Will the gentleman yield?

Mr. FISH. Yes.

Mr. MOORE of Virginia. In order that I may emphasize what the gentleman is saying I want to read to him what Mr. Carr, Assistant Secretary of State, said before the committee:

As far as the State Department is concerned, this question of what shall be charged for a passport, whether anything shall be charged for a passport, or whether the fee is to be \$2, \$5, \$10, or \$20, the State Department does not presume to pass upon that question. That is a question wholly to be determined by Congress. Congress has determined it in the past. It has determined it without any recommendation from the Department of State, and the Department of State has no recommendation now on that particular subject.

Mr. FISH. The gentleman is quoting the attitude of the State Department. This is the business of the House. The gentleman from Michigan is a member of the Committee on Appropriations and he assured us by implication that if his amendment prevails that the Appropriations Committee in the future will make up the deficit in the State Department appropriation bill.

The amendment proposed by him reduces the passport fee from \$10 to \$5, and will cost the Government a million dollars. It will make the State Department in the future non-self-supporting. The question is one of policy. Is there any reason why the State Department should be self-supporting as it has been in the past? We must realize that this amendment, if it prevails, will cost the Government \$1,000,000, and change the policy of having a self-supporting Diplomatic Service, but at the same time a reduction of passport fees will be popular with the traveling public.

As far as I am concerned—I am not speaking for the committee but individually—I do not care what action the House takes as long as the House knows what it is voting for. Mr. Chairman, I ask for the question.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan to the committee amendment.

The question was taken; and on a division (demanded by Mr. LINTHICUM) there were 25 ayes and 23 noes.

The Chair announced the vote, and that the amendment was agreed to.

Mr. LINTHICUM. Mr. Chairman, I ask for tellers.

Mr. CRAMTON. The request comes too late.

The CHAIRMAN. The Chair will not enforce strictly the rule as to time, for the Chair realizes that the gentleman asked for tellers as rapidly as he could.

The question on ordering tellers was taken, and the Chair announced that 13 Members had arisen; not a sufficient number.

Mr. LINTHICUM. Mr. Chairman, several of us did not understand that the Chair was taking a vote on tellers.

The CHAIRMAN. The question was on the committee amendment as amended, offered by the gentleman from Michigan, and upon that the ayes were 25 and the noes were 23. Thereupon, the gentleman from Maryland asked for tellers and only 13 Members arose.

Mr. LINTHICUM. But we did not understand that the Chair was putting the vote on tellers. I ask unanimous consent that the Chair be allowed to put the question of having tellers again.

Mr. ARENTZ. I move that the Chair put the question again.

The CHAIRMAN. Without objection, the Chair will again put the question on ordering tellers.

Mr. O'CONNOR of Louisiana. I object.

Mr. FISH. I ask the gentleman from Louisiana not to object, because there was a misunderstanding.

Mr. O'CONNOR of Louisiana. Very well, I withdraw the objection.

The CHAIRMAN. The Chair hears no objection. As many as are in favor of ordering tellers will rise. [After counting.] Twenty-six Members have arisen, a sufficient number, and tellers are ordered.

The Chair appointed as tellers Mr. CRAMTON and Mr. LINTHICUM.

The committee again divided; and the tellers reported that there were 44 ayes and 33 noes.

So the amendment of Mr. CRAMTON was agreed to.

The CHAIRMAN. The question is on the committee amendment as amended.

The committee amendment was agreed to.

Mr. FISH. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10826 and had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FISH. Mr. Speaker, I move the previous question on the bill and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment?

Mr. LINTHICUM. Mr. Speaker, I demand a separate vote upon the Cramton amendment.

Mr. CHINDBLOM. Mr. Speaker, I call the attention of the Speaker to the record upon that amendment.

Mr. LA GUARDIA. It is the second committee amendment as amended.

Mr. CHINDBLOM. Mr. Speaker, as Chairman of the Committee of the Whole House on the state of the Union, I state to the Speaker that the so-called Cramton amendment was an amendment to the second committee amendment.

The SPEAKER. Therefore a separate vote can not be had upon the Cramton amendment.

Mr. LA GUARDIA. But a separate vote can be had upon the second committee amendment.

The SPEAKER. Certainly.

Mr. LINTHICUM. Mr. Speaker, I ask for a separate vote upon the second committee amendment as amended.

The SPEAKER. The question is on the other amendment.

The amendment was agreed to.

The SPEAKER. A separate vote is demanded by the gentleman from Maryland on the second committee amendment as amended. The Clerk will report the committee amendment as amended.

The Clerk read as follows:

Page 2, line 7, after the word "issue," insert "And provided further, That the charge for the issue of an original passport shall be \$5."

The SPEAKER. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. LINTHICUM) there were—ayes 49, noes 34.

Mr. LINTHICUM. Mr. Speaker, I object to the vote upon the ground that there is no quorum present, and make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The question was taken; and there were—ayes 169, noes 89, not voting 169, as follows:

[Roll No. 53]

YEAS—169

Ackerman	Culkin	Howard	Quin
Adkins	Cullen	Huddleston	Ramey, Frank M.
Allen	Dallinger	Irwin	Reed, N. Y.
Almon	Darrow	Johnson, Nebr.	Rowbottom
Andresen	DeRouen	Johnson, S. Dak.	Schneider
Arentz	Doughton	Kading	Sears
Ayres	Dowell	Kemp	Shaffer, Va.
Bacharach	Dunbar	Kinzer	Simmons
Bacon	Eaton, Colo.	Korell	Simms
Barbour	Eaton, N. J.	Kvale	Sinclair
Beers	Elliott	LaGuardia	Sloan
Bell	Englebright	Lampert	Smith, W. Va.
Black	Evans, Calif.	Langley	Snow
Bloom	Evans, Mont.	Lea	Speaks
Bohn	Fenn	Leavitt	Sproul, Kans.
Bowman	Fisher	Lehlbach	Stalker
Boylan	Fitzgerald	Letts	Stone
Brand, Ga.	Foss	Luce	Strong, Kans.
Brand, Ohio	Garber, Okla.	Ludlow	Strong, Pa.
Brigham	Gibson	McFadden	Swanson
Butler	Glover	McLaughlin	Swick
Cable	Granfield	McLeod	Swing
Campbell, Iowa	Gregory	McSwain	Thatcher
Campbell, Pa.	Guyar	Magrady	Thompson
Carter, Calif.	Hadley	Manlove	Thurston
Carter, Wyo.	Hale	Mansfield	Timberlake
Chalmers	Hall, Ill.	Mapes	Tinkham
Chinblom	Hall, Ind.	Merritt	Vestal
Christgau	Hall, Miss.	Michaelson	Vinson, Ga.
Christopherson	Hall, N. Dak.	Michener	Wainwright
Clancy	Halsey	Miller	Walker
Clark, Md.	Hardy	Montague	Welch, Calif.
Cochran, Mo.	Hartley	Montet	Whitley
Cole	Haugen	Moore, Va.	Whittington
Collier	Hawley	Nelson, Me.	Wigglesworth
Colton	Hess	O'Connell	Wingo
Connolly	Hickey	O'Connor, La.	Wolverton, N. J.
Corning	Hoffman	Parker	Woodruff
Cox	Hogg	Patterson	Wyant
Coyle	Holaday	Pittenger	Yates
Cramton	Hope	Prall	
Crisp	Hopkins	Pratt, Harcourt J	
Crosser		Purnell	

NAYS—89

Allgood	Estep	Lankford, Va.	Rogers
Bachmann	French	Linthicum	Romjue
Baird	Fuller	Lozier	Rutherford
Blackburn	Garner	McClintic, Okla.	Sanders, N. Y.
Bland	Garrett	McDuffie	Sanders, Tex.
Box	Green	McMillan	Sandlin
Briggs	Hammer	McReynolds	Schafer, Wis.
Browne	Hare	Menges	Shott, W. Va.
Browning	Hastings	Milligan	Sparks
Busby	Hill, Ala.	Moore, Ky.	Stegall
Byrns	Hill, Wash.	Morehead	Summers, Wash.
Canfield	Hull, Morton D.	Nelson, Mo.	Summers, Tex.
Clark, N. C.	Hull, Wis.	Nelson, Wis.	Taber
Cooper, Tenn.	Jeffers	O'Connor, Okla.	Tarver
Cooper, Wis.	Johnson, Okla.	Oldfield	Warren
Craill	Johnson, Tex.	Oliver, Ala.	Wason
Cross	Jones, Tex.	Palmer	Williams
Davis	Kendall, Ky.	Parks	Williamson
Denison	Kiefner	Patman	Wilson
Dominick	Kincheloe	Ragon	Woodrum
Doxey	Lambertson	Ramsayer	
Driver	Lanham	Ramspeck	
Edwards	Lankford, Ga.	Rankin	

NOT VOTING—169

Abernethy	Collins	Frear	Jenkins
Aldrich	Connery	Free	Johnson, Ill.
Andrew	Cooke	Freeman	Johnson, Ind.
Arnold	Cooper, Ohio	Fulmer	Johnson, Wash.
Aswell	Craddock	Gambrell	Johnston, Mo.
Auf der Heide	Crowther	Garber, Va.	Jonas, N. C.
Bankhead	Curry	Gasque	Kahn
Beck	Davenport	Gavagan	Kearns
Beedy	Dempsey	Gifford	Kelly
Bolton	De Priest	Golder	Kendall, Pa.
Britten	Dickinson	Goldsborough	Kennedy
Brumm	Dickstein	Goodwin	Kerr
Brunner	Douglas, Ariz.	Graham	Ketcham
Buchanan	Douglass, Mass.	Greenwood	Kiess
Buckbee	Doutrich	Griffin	Knutson
Burdick	Doyle	Hancock	Kopp
Burtness	Drane	Hoch	Kunz
Cannon	Drewry	Hooper	Kurtz
Carley	Dyer	Houston, Del.	Larsen
Cartwright	Ellis	Hudson	Leech
Celler	Eslick	Hudspeth	Lindsay
Chase	Esterly	Hull, Tenn.	McClintock, Ohio
Clague	Finley	Hull, William E.	McCormack, Mass.
Clarke, N. Y.	Fitzpatrick	Igoe	McCormick, Ill.
Cochran, Pa.	Fort	James	McKeown



Maas	Porter	Smith, Idaho	Underhill
Martin	Pou	Snell	Underwood
Mead	Pratt, Ruth	Somers, N. Y.	Vincent, Mich.
Mooney	Pritchard	Spearing	Watres
Moore, Ohio	Quayle	Sproul, Ill.	Watson
Morgan	Rainey, Henry T.	Stedman	Welsh, Pa.
Mouser	Ransley	Stevenson	White
Murphy	Rayburn	Stobbs	Whitehead
Newhall	Reece	Sullivan, N. Y.	Wolfenden
Niedringhaus	Reid, Ill.	Stafford	Wolverton, W. Va.
Nolan	Robinson	Sullivan, Pa.	Wood
Norton	Sabath	Taylor, Colo.	Wright
O'Connor, N. Y.	Seger	Taylor, Tenn.	Wurzbach
Oliver, N. Y.	Seiberling	Temple	Yon
Owen	Selvig	Tilson	Zihlman
Palmisano	Short, Mo.	Treadway	
Peavey	Shreve	Tucker	
Perkins	Sirovich	Turpin	

So the amendment was agreed to.  
The Clerk announced the following pairs:  
General pairs until further notice:

Mr. Snell with Mr. Bankhead.  
Mr. Tilson with Mr. Mead.  
Mr. Freeman with Mr. Fulmer.  
Mr. Graham with Mr. Mooney.  
Mr. Watson with Mrs. Owen.  
Mr. Buckbee with Mr. Drewry.  
Mr. Porter with Mr. Stedman.  
Mr. Perkins with Mr. Griffin.  
Mr. Gifford with Mr. Douglass of Massachusetts.  
Mr. Wood with Mr. Celler.  
Mr. Cochran of Pennsylvania with Mr. Aswell.  
Mr. Cooper of Ohio with Mr. Connery.  
Mr. Welsh of Pennsylvania with Mr. Quayle.  
Mr. Reid of Illinois with Mr. Drane.  
Mr. Seger with Mrs. Norton.  
Mr. Doutrich with Mr. Cannon.  
Mr. Treadway with Mr. Lindsay.  
Mr. Mass with Mr. Henry T. Rainey.  
Mr. Ketcham with Mr. Eslick.  
Mr. Davenport with Mr. O'Connor of New York.  
Mr. Crowther with Mr. Kunz.  
Mr. Robinson with Mr. Yon.  
Mr. Temple with Mr. Brunner.  
Mr. Kopp with Mr. Rayburn.  
Mr. Fort with Mr. Larsen.  
Mr. Golder with Mr. Carley.  
Mr. Mouser with Mr. Wright.  
Mr. Dyer with Mr. Abernethy.  
Mr. Free with Mr. Oliver of New York.  
Mr. Martin with Mr. Pou.  
Mr. Shreve with Mr. Arnold.  
Mr. Ransley with Mr. McKeown.  
Mr. Hudson with Mr. Kennedy.  
Mr. Murphy with Mr. Douglas of Arizona.  
Mr. Niedringhaus with Mr. Gambrill.  
Mr. Beedy with Mr. Stevenson.  
Mr. Hooper with Mr. Hull of Tennessee.  
Mr. Johnson of Indiana with Mr. Tucker.  
Mr. Beck with Mr. Gavagan.  
Mr. Short with Mr. Spearing.  
Mr. Sproul of Illinois with Mr. Doyle.  
Mr. Kiess with Mr. Collins.  
Mr. McClintock of Ohio with Mr. Buchanan.  
Mr. Taylor of Tennessee with Mr. Auf der Heide.  
Mr. Stafford with Mr. Sabath.  
Mr. Kendall of Pennsylvania with Mr. McCormack of Massachusetts.  
Mr. Smith of Idaho with Mr. Taylor of Colorado.  
Mr. Johnston of Missouri with Mr. Igoe.  
Mr. Reece with Mr. Greenwood.  
Mr. Jenkins with Mr. Whitehead.  
Mr. Hoch with Mr. Gasque.  
Mr. Goodwin with Mr. Sullivan of New York.  
Mr. Bolton with Mr. Underwood.  
Mr. Clague with Mr. Fitzpatrick.  
Mr. Britten with Mr. Dickstein.  
Mr. Dickinson with Mr. Hudspeth.  
Mr. Esterly with Mr. Sirovich.

The result of the vote was announced as above recorded.

A quorum being present, the doors were opened.

The SPEAKER. The question now is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

Mr. PATTERSON. Mr. Speaker, I move to recommit the bill, striking out the word "six," in line 7, page 2, and substituting the word "four."

The SPEAKER. The gentleman from Alabama moves to recommit the bill. The Clerk will report the motion of the gentleman from Alabama.

The Clerk read as follows:

Mr. PATTERSON moves to recommit the bill to the Committee on Foreign Affairs with instruction to report the same back forthwith, striking out the word "six," in line 7, on page 2, and substituting the word "four."

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken, and the motion was rejected.

The SPEAKER. The question is, Shall the bill pass?

The question was taken, and the bill was passed.

On motion of Mr. FISH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

#### NAVAL APPROPRIATION BILL

Mr. FRENCH. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 12236) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1931, and for other purposes, with Senate amendments, disagree to the Senate amendments, and ask for a conference.

The SPEAKER. The gentleman from Idaho asks unanimous consent to take from the Speaker's table the bill H. R. 12236, the naval appropriation bill, with Senate amendments, disagree to the Senate amendments, and ask for a conference. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 12236) making appropriations for the Navy Department and the naval service for the fiscal year ending June 30, 1931, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Idaho?

There was no objection; and the Speaker announced as the conferees on the part of the House Mr. FRENCH, Mr. HARDY, Mr. TABER, Mr. AYRES, and Mr. OLIVER of Alabama.

#### BILLS FROM THE COMMITTEE ON THE JUDICIARY

Mr. PURNELL. Mr. Speaker, by direction of the Committee on Rules I submit a privileged report from the Committee on Rules for printing in the RECORD.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

#### House Resolution 232

Resolved, That upon the adoption of this resolution the Committee on the Judiciary shall have Tuesday, June 3, for the consideration under the general rules of the House of the following bills: H. R. 12056, H. R. 10341, H. R. 9937, H. R. 9985, H. R. 6806, H. R. 9601, and H. R. 2903.

This rule not to interfere with privileged business.

The SPEAKER. Referred to the House Calendar and ordered printed.

#### OMNIBUS BRIDGE BILL

Mr. DENISON. Mr. Speaker, I present a conference report on the bill H. R. 9806 for printing under the rule.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 9806) to authorize the construction of certain bridges and to extend the times for commencing and completing the construction of other bridges over the navigable waters of the United States.

#### RETIREMENT BILL—WORK OF ROBERT H. ALCORN

Mr. GIBSON. Mr. Speaker, I ask unanimous consent to extend my remarks on the retirement bill.

The SPEAKER. Is there objection to the request of the gentleman from Vermont?

There was no objection.

Mr. GIBSON. Mr. Speaker, the signing by the President of the Dale-Lehlbach retirement bill marks the culmination of years of ceaseless striving on the part of civil-service employees for an adequate retirement measure.

The uncoordinated efforts of separate organizations brought meager results through many years of effort. It was not until the formation of the Joint Conference on Retirement that real progress was made in bringing forth a measure that would ease the declining days of the worn-out employees of the Government.

The Joint Conference on Retirement was formed in 1917, and Robert H. Alcorn, who had served for several years as the chairman of the retirement committee of the Naval Gun Factory, was elected chairman and has held the position to this time.

It is not my purpose to dwell on the struggles of the last 13 years to secure the enactment of the McKellar-Keating bill, the Dale-Wadsworth bill, or the Sterling-Lehlbach bill which became a law in 1920, but I do wish to pay a tribute to the sterling character, the ability, and the tenacity of the chairman who through all the trying situations of the many years has retained the respect and confidence of the great body of Government workers. He has kept the ranks closed with only one single exception.

The joint conference consists of representatives of the navy yards, naval stations and arsenals, National Association of Letter Carriers, National Federation of Post Office Clerks, Railway Mail Clerks, National Association of Master Mechanics, District No. 44 of Machinists, Government printers, printing pressmen, bookbinders, mechanical trades of the Bureau of Engraving and Printing, and, in addition, through their confidence in the chairman, nearly all of the independent organizations in the Govern-

ment service in the District of Columbia and throughout the country have loyally cooperated.

I think it is a conservative estimate that there are in excess of 300,000 men and women enrolled under the banner or affiliated with the Joint Conference on Retirement. By reason of diversity of occupations and environment conflicting demands have inevitably arisen among the different groups, but all these differences have been amicably adjusted and all have carried on with singleness of purpose that brought results. Much of the success has been due to the tireless efforts of Chairman Robert H. Alcorn.

You all know him. There are few whose offices he has not visited and been received with a welcome. Courteous and kindly, he has always found the door open to him, and upon his departure, always an invitation to return. He has had the confidence of the members of the Civil Service Committees. The glory of success with the retirement measure belongs to him. I congratulate the thousands of loyal Government workers that they have been led by such a splendid type of man.

He has made a genuine sacrifice. In 1921 he was reduced in his grade owing to loss of time due to work for his organization. He was reinstated in 1927, but remained less than a year in the service. He gave up his position that he might have the time to work for others. He is therefore ineligible to share in the benefits of retirement. He has kept the faith, he has won the fight, but can not share in the realization of his dream.

#### NORTH DAKOTA FARMERS AND THE TARIFF

Mr. SINCLAIR. Mr. Speaker, I ask unanimous consent to extend my remarks on the tariff.

The SPEAKER. Is there objection to the request of the gentleman from North Dakota?

There was no objection.

Mr. SINCLAIR. Mr. Speaker, there is a great deal of misinformation or lack of information apparent in the discussions of the pending tariff bill and its effects upon agriculture. No one can say accurately what the costs and benefits will be when the bill goes into effect, but a reasonable estimate can be given provided the economic conditions remain stable. Just at present, and for the past eight months, there has been grave economic unrest in the United States. This same condition prevails throughout the world, and is particularly acute in parts of Europe, South America and Australia. These countries are not buying as freely of our exports as last year, and at the same time are underselling us in the markets of the world on many agricultural products. Not only is this competition felt in world markets but our home markets are greatly depressed thereby. Such products of the North Dakota farmer as beef, flax, and wool have especially suffered from this competition as the large imports of these articles into the United States amply testify.

#### FRAMING OF TARIFF BILL

When President Hoover was elected he announced that he would call a special session of Congress, one of the purposes being to revise the tariff in the interests of agriculture and the other to enact a farm marketing bill. This latter object was accomplished in the special session in the spring of 1929 through the passage of the law creating the Federal Farm Board, and marked the culmination of the long fight waged by the friends of agriculture for legislation to aid in restoring that industry to a paying basis. As a pioneer in that struggle, I introduced my first bill for farm relief almost 10 years ago. This was soon followed by the Norris-Sinclair marketing bill, the first of the export marketing corporation bills, embodying the principles later adopted in the McNary-Haugen bill. During all of this time I have taken an active part for the passage of a measure to help farmers to get a fair price for their products. I have, therefore, been deeply interested in doing my part toward carrying out the program of the President for the revision of the tariff for the benefit of agriculture.

All tariff legislation is framed by the Committee on Ways and Means of the House. While I am not a member of that committee, I appeared before it with other Representatives from the Northwest to urge the adoption of rates favorable to our products. In preparation of a bill to present to the House the committee held extensive hearings daily from January 7, 1929, to February 27, 1929. At these hearings persons from all over the United States appeared and offered their views. In addition to Members of Congress there were representatives of the Farmers' Union, the North Dakota Agricultural College, and many farm organizations. At the conclusion of the hearings the committee went into executive session, and on May 9, 1929, reported what is known as the Hawley tariff bill to the House, the measure taking the name of the chairman of the Ways and Means Committee. The bill was passed by the House on May 28, 1929, and was sent to the Senate.

It has been said, and particularly by members of the minority party in this House, that the bill was passed under gag rule and that Representatives by their votes to limit debate put themselves in position where they could not offer an amendment which would be beneficial to the farmers of this country. Let us see what the facts are. We find that every tariff bill enacted since 1874, whether Republican or Democratic, has been considered under the same kind of a rule, and must be. This is clearly understood when we remember that there are 435 Members of the House, and that the tariff bill contained some 20,000 items. Unless debate were limited a tariff bill would be before the House for several years without enactment, and inasmuch as there is a change in membership in this body every two years, it will be readily seen that the Congress would expire and no law be passed. The Senate, with its membership of 96 and more liberal rules for debate, discussed the tariff continuously from September 4, 1929, to March 24, 1930. Even then it was necessary to set definite dates for closing of debate on the various schedules. This disposes of the charge of gag rule. If we were to have a tariff law enacted it had to be first passed by the House, and this was done in the usual and orderly way. It is also appropriate to point out that some 130 amendments were added to the bill on the floor of the House, including an increase in flax from 56 cents to 63 cents a bushel.

I voted for the tariff bill when it was before the House because it carried the increased rates on agricultural products written in upon recommendations of the Farmers' Union, agricultural college economists, farmers' organizations generally, and Members of Congress from the Northwest farming States, and also because it is the first time in the history of tariff legislation that an attempt has been made to give agriculture adequate protection and equality with industry.

#### A FEW OF THE INCREASES WHICH WILL BENEFIT NORTH DAKOTA FARMERS

Some of the increases which the bill carried as it passed the House, and which I feel will be of substantial benefit to farmers, are: 2 and 2½ cents a pound on live cattle; 2½ cents a pound on milk; 14 cents a pound on butter; 75 cents per hundred-weight on potatoes; 2 cents a pound on onions; 6 cents a pound on clover seed; 10 per cent ad valorem on hides; alfalfa seed, 5 cents per pound; live poultry, 6 cents, and dressed poultry, 8 cents per pound; eggs, 8 cents per pound. Wool was increased to carry a duty of 34 cents per pound, and flaxseed 63 cents a bushel. Numerous other increases were included for agricultural products.

Briefly, we in North Dakota have to decide between the rates under the Fordney-McCumber tariff law, now in effect, or the less discriminatory rates of the Hawley bill. I am not claiming that the Hawley rates are all that agriculture should have, for they are not, but they are more favorable than the present law. The United States Tariff Commission has prepared a comparative table of the agricultural and industrial rates under the act of 1922 and under the pending bill. From this, we find that under existing law the average rate of protective tariff for agriculture is approximately 22 per cent, and for industry approximately 42 per cent. Under the proposed law, the rates are about 33 per cent for agriculture and about 43 per cent for industry. These figures place agriculture in a much more favorable position with industry than is possible under existing law. In other words, we will be 10 per cent nearer parity, although still 10 per cent below equality.

#### NORTH DAKOTA FARMERS VERSUS FOREIGN IMPORTS

In addition I will say that the increases are particularly favorable to farmers of North Dakota. The United States last year imported about 24,000,000 bushels of flax, 4,000,000 bushels of potatoes, 13,000,000 pounds of clover and alfalfa seed, 4,000,000 gallons of milk, 76,000,000 pounds of cheese, two and one-half million pounds of butter, 7,000,000 pounds of poultry, 27,000,000 pounds of frozen and dried eggs, 3,000,000 pounds of mutton, 104,000,000 pounds of clean wool, 367,000,000 pounds of beef, and 30,000,000 pounds of pork and other meats. All of these articles could have been produced in the United States, and a good share of them in North Dakota. Why should the farmers of North Dakota be forced to meet this foreign competition at home in order to help manufacturers sell their products abroad? The proposed bill carries increases in tariff on every one of the above-mentioned articles, which will reflect benefits directly to our farmers. We need not worry about foreign markets for our automobiles. These manufacturers are eminently able to find a market for their output. What we should concern ourselves about is the home market for our own farm products. Why should we continue a policy which gives to farmers of other countries one and a half billion dollars of our home market annually? American farmers should be sufficiently protected to give them a market for every dollar's worth of crops that they can reasonably produce. Italy and France have long had a



tariff policy. In fact, there is no such thing as a free-trade country in the world. Each country fixes its tariffs to its own economic advantage.

My State is probably the greatest surplus-producing State of farm products per capita in the Union. Large amounts of grain, livestock, and other agricultural products are raised which must find a market beyond the boundaries of the home State, and sometimes even beyond the boundaries of the Nation. We originate annually about 250,000 carloads of farm products that enter into interstate commerce. The value of this vast production will be directly increased by the enactment of the pending tariff bill. In answer to the charge that farmers will not get much benefit from the tariff because they will have to pay more for the manufactured articles they have to buy it can be said, first, as mentioned above, that the total advance in the industrial schedules is only about 1 per cent as against almost 11 per cent for agriculture; second, that our consumption of industrial products in North Dakota is less than half the value of our agricultural products.

#### PROTEST AGAINST BILL FROM INDUSTRIAL CENTERS

Since it has become evident that industry is not to reap the same measure of benefit from the bill that agriculture will have, a loud hue and cry has been raised on behalf of these interests to "kill the bill." A recent poll of 590 editors in the 8 largest industrial States indicates that they are more than 2 to 1 against the enactment of the measure. Propaganda to the effect that the rates are unfair and discriminatory is being circulated, and the President is being urged to veto. As a matter of fact, the only discrimination or unfairness is that for the first time industry has failed to receive the lion's share of protective tariff, and, of course, is dissatisfied. This is being cleverly disguised with complaints that the bill will increase the cost of living, is a "robber tariff," and so forth. No such protests were made when the tariff act of 1922 was passed, which added enormously to already overburdened agriculture. The trouble is, to use a homely saying, "The shoe is now on the other foot," and is pinching industry a little. But farmers, and particularly North Dakota farmers, need not concern themselves over this. No aid and little sympathy was given them during the years of agricultural depression when they were hard pressed. If now, through the passage of farm aid and tariff legislation, they are coming, not into their own, but even in sight of it, I for one, shall rejoice and shall do my utmost for this and every other measure in their behalf.

#### MOTION TO ADJOURN

Mr. LAGUARDIA. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The gentleman from New York moves that the House do now adjourn. The question is on agreeing to that motion.

The question was taken; and the Speaker announced that the yeas appeared to have it.

Mr. LAGUARDIA. I demand a division, Mr. Speaker.

The SPEAKER. The gentleman from New York demands a division.

The House divided; and there were—ayes 8, yeas 74.

So the motion was rejected.

#### CLAIM OF THE NORWEGIAN GOVERNMENT

Mr. FISH. Mr. Speaker, by direction of the Committee on Foreign Affairs, I call up House Joint Resolution 322.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

Joint resolution (H. J. Res. 322) authorizing payment of the claim of the Norwegian Government for interest upon money advanced by it in connection with the protection of American interests in Russia.

The SPEAKER. This bill is on the Union Calendar. The House automatically resolves itself into the Committee of the Whole House on the state of the Union. The gentleman from Illinois [Mr. CHINDBLOM] will please take the chair.

Thereupon the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 322, with Mr. CHINDBLOM in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the consideration of House Joint Resolution 322, which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to the Government of Norway, as an act of grace and without reference to the question of legal liability, an amount equal to 6½ per cent interest upon 58,480 krone from February 24, 1920, to December 8, 1920, and upon 65,162.97 krone from December 8, 1920, to July 13, 1925, the sums advanced by the Government of

Norway in connection with the care by its representatives of American interests in Moscow, Russia, during the years 1918 and 1919, together with 6½ per cent interest on the unpaid interest from July 13, 1925, to the date of payment pursuant to this joint resolution, not to exceed, in all, \$8,500; and the appropriation for the "Relief, protection, and transportation of American citizens in Europe," made by the act approved April 17, 1917, is hereby made available for the payment of the claim aforesaid.

Mr. FISH. Mr. Chairman, House Joint Resolution 322 authorizes the payment of \$8,500 in back interest to the Government of Norway for taking over and protecting American interests in Moscow, Russia, in September, 1918.

It comes to this House with a letter from the President of the United States requesting its passage, and also from the Secretary of State.

I hope there will not be any lengthy discussion of the pending resolution. I think we have delayed favorable action far too long. A similar bill passed the House a few years ago and became involved in the congestion in the Senate and failed to pass. It is simply a matter of taking care of a small amount of interest due the Norwegian Government. We are under great obligation to Norway for taking over and protecting the interests of our nationals and our property in Russia, and unless somebody wishes to be heard on the question, I will move that the committee arise.

Mr. SPROUL of Kansas. Will the gentleman yield?

Mr. FISH. I yield.

Mr. SPROUL of Kansas. Was there a request made by this Government of Norway to protect our interests?

Mr. FISH. Yes. A request was made by our Government, and their vice consul took over the job and represented us there.

Mr. PATTERSON. Will the gentleman yield?

Mr. FISH. I yield.

Mr. PATTERSON. Does the Norwegian Government owe us anything? Have we any claims against the Norwegian Government?

Mr. FISH. Not that I know of. We requested them to take over our interests and look after them in Russia when we withdrew.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. FISH. I yield.

Mr. LAGUARDIA. Does the gentleman expect to take up any more bills after this resolution?

Mr. FISH. I expect to.

The Clerk read the resolution for amendment.

Mr. GREEN. Mr. Chairman, I am wondering why this provides for interest at the rate of 6½ per cent instead of the rate which the Government pays here?

Mr. FISH. That came in a request from the Department of State, and I believe, inasmuch as Norway acted at our request in this matter, we are under obligation to Norway, and we should not question whether it is 6 per cent or 7 per cent, or anything within reason, as the amount involved is too small to cause a controversy.

Mr. GREEN. Is that the prevailing rate in Norway?

Mr. FISH. I can not say. That request came from the State Department, and I believe it represents the prevailing rate of interest at the time of the indebtedness.

Mr. GREEN. Does not the gentleman think the rate should be reduced?

Mr. O'CONNELL. Will the gentleman yield?

Mr. FISH. I yield.

Mr. O'CONNELL. This is figured at the rate of exchange, according to the Secretary of State. It figures 6½ per cent. That is the difference between the krone and the dollar.

Mr. GREEN. I do not see how we can justify a rate higher than the banks in America charge, as well as the Government. It seems to me like 3 or 4 per cent would be a reasonable amount.

Mr. HOWARD. Will the gentleman yield?

Mr. FISH. I yield.

Mr. HOWARD. I suggest to the gentleman that he offer to amend the bill by striking out "6½ per cent" and inserting "5 per cent," and the resolution will pass.

Mr. FISH. I am sorry to say I can not offer or accept such an amendment. I think we are under great obligation to Norway and should not haggle about the rate of interest. We owe a debt of gratitude to Norway for representing us in Russia, and we want to pay it in full.

Mr. HOWARD. I am in favor of paying the debt of gratitude and I am in favor of the resolution, but our Government pays only 5 per cent to its Indians for their funds. Why pay Norway 6½ per cent?

Mr. FISH. Simply because that was the prevailing rate during the war, at the time this money was advanced.



Mr. HOWARD. I am almost sorry that I am in favor of the resolution, or I would offer to amend it.

The CHAIRMAN. The Chair will suggest that the spelling of the word "kroner" is wrong in lines 7 and 8. It should be "kroner" instead of "krone" as it appears in the resolution.

Mr. FISH. Mr. Chairman, I yield to the superior knowledge of the Chair and accept the amendment.

The CHAIRMAN. Is there objection to the amendment correcting the spelling of the word "kroner"?

There was no objection.

Mr. GREEN. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Florida [Mr. GREEN] offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GREEN: Page 1, line 6, strike out "6½" and insert in lieu thereof "5."

Mr. GREEN. Mr. Chairman, I can not see how we can justify the payment of this rate of interest which is higher than is paid in the city of Washington by the banks.

Mr. PATTERSON. Will the gentleman yield?

Mr. GREEN. I yield to the gentleman from Alabama.

Mr. PATTERSON. I notice in line 3 the amount is limited to \$8,500. They can not go beyond that. The President says in his message it is an act of grace.

Mr. GREEN. I appreciate that and I am going to vote for the resolution, but I do not see how we can justify paying more interest than is paid by the banks in the city of Washington.

Mr. LAGUARDIA. Will the gentleman yield?

Mr. GREEN. I yield.

Mr. LAGUARDIA. Perhaps the gentleman is under a misapprehension. Apparently this is to reimburse the Government of Norway for what they had to pay for the money which they advanced for certain purposes—that is, the relief of American citizens. That, no doubt, has already been adjusted, and this is simply to pay their interest charge, to reimburse them.

Mr. GREEN. Have they paid that amount?

Mr. LAGUARDIA. I suppose that is the understanding. I do not suppose this is an arbitrary amount. This is to reimburse the cost to the Government of Norway which they had to pay at the time we asked them to advance this money.

Mr. GREEN. Were they required to pay 6½ per cent, Mr. Chairman?

Mr. FISH. I believe so.

Mr. GREEN. Will they get any more than the amount which they have paid out?

Mr. FISH. My understanding is they will not, except for the additional interest.

Mr. GREEN. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. The gentleman from Florida asks unanimous consent to withdraw the amendment. Is there objection? There was no objection.

Mr. BOYLAN. Mr. Chairman, I move to strike out the last word, and I ask unanimous consent to proceed out of order for five minutes.

The CHAIRMAN. The gentleman from New York [Mr. BOYLAN] asks unanimous consent to proceed out of order for five minutes. Is there objection?

There was no objection.

Mr. BOYLAN. Mr. Chairman, ladies and gentlemen of the committee, I shall not use the time allowed me to-day to address you relative to some legislation that benefits a particular part of our country nor for an appropriation for some pet project in which some particular State or individual is concerned, but I am going to use the time allotted me in speaking to you about a matter that interests our common humanity.

Am I my brother's keeper?

Our answer to that is, "We are our brother's keeper."

For a period of 40 years Congress went merrily along pursuing the even tenor of its way, making many offenses felonies, and rapidly filling up the Federal penitentiaries of this country; while the Federal courts in their ceaseless grind in compliance with the provisions of these new statutes sentenced thousands of men and women throughout our country to the Federal prisons; and while their population increased by leaps and bounds, yet no thought or no effort was directed by Congress to provide adequate and decent housing for these prisoners.

Congress proceeded on the theory that the prisons by some inexplicable process would be made to expand so as to receive and house all the unfortunates committed to them. This overcrowding finally assumed the proportions of a national menace.

In the Seventieth Congress I introduced a resolution to investigate Federal penitentiaries and jails. It was adopted by

the House, and a special committee consisting of five members, JOHN G. COOPER, WILLIAM F. KOPP, JOHN TABER, THOMAS M. BELL, and JOHN J. BOYLAN, were appointed by the Speaker on this committee. The resolution instructed the committee to visit the Federal penitentiaries and jails, to hold hearings, and obtain all available information from dependable sources of Federal prison conditions in State, counties, and municipal prisons and jails; the care of such prisoners as to housing, food, health, recreation, work, discipline, classification, medical treatment, and other pertinent facts; the rates of compensation paid for maintenance and board of such prisoners, the services rendered for such compensation, and the beneficiaries of such compensation; and the need for additional Federal and penal and reformatory institutions to take care of the Federal prisoners. This special committee was further authorized and directed to make a survey of the employment of prisoners in the penal and reformatory institutions of the United States and of the several States.

In compliance with this resolution, this special committee visited the Federal penitentiaries located at Leavenworth, Kans.; Atlanta, Ga.; McNeil Island, Puget Sound, Wash. In these penitentiaries are confined most of the Federal prisoners sentenced for more than one year. The committee also visited the United States Industrial Reformatory at Chillicothe, Ohio, on the old Camp Sherman Military Reservation, and found that construction had been commenced. The Industrial Institution for Women at Alderson, W. Va., was found completed.

It was found that the average daily population of Federal prisons in the United States was nearly 19,000. It was also learned that for the past 10 years the prison population has increased approximately at an average of 10 per cent per year.

In addition to this population there was during the fiscal year of 1928 an average daily population of over 9,700 persons serving short sentences or awaiting trial in some 1,100 State, county, and city jails throughout the country. In addition to visiting the Federal penitentiaries and reformatories, the committee also visited several State prisons, including the Women's State Prison in Vermont, and State prisons at Comstock and Sing Sing, N. Y., and the Ohio State prison at Columbus.

#### CONGESTED CONDITIONS

It was found that a very acute condition confronted those who were administering the Federal penal system due to the lack of a proper program and to the increase in the number of persons arrested, convicted, and committed for violations of Federal penal laws, whereby the penitentiaries were overcrowded with those sentenced to prison for more than one year. It also observed in all the county and municipal jails the committee visited that there was overcrowding and idleness. The committee was also reliably informed that the same deplorable condition existed in many of the 1,100 local jails where short-term Federal prisoners were confined.

It was found that the Leavenworth Penitentiary had within its walls more than twice as many prisoners than it was able to accommodate. The capacity of the Atlanta Penitentiary is about 1,700, yet over 3,100 prisoners were confined in that institution. In both of these institutions there exists the vicious practice of "doubling up," or placing two prisoners in single cells. This was necessary on account of the congestion. Many were found sleeping in dark, ill ventilated basements and corridors; improvised dormitories were in use; the kitchen and mess facilities were overloaded to more than twice their proper capacity. It was found that these institutions had reached their absolute physical capacity, and that no additional prisoners could be "jammed" within their walls.

The committee also found that no more prisoners should be confined in the McNeil Island Penitentiary not only because it has reached its proper physical capacity but also because of the remoteness of its location in one corner of the country, far from the centers of commitments, and because of the impossibility of securing sufficient fresh water. Only at one Federal institution—the Women's Industrial Institution at Alderson, W. Va.—did the committee find sufficient and proper facilities for the prisoners committed to that institution.

#### EMPLOYMENT OF FEDERAL PRISONERS

Out of an average daily population of 3,200 for the year of 1928 at the Atlanta Penitentiary, aside from the inmates employed in the maintenance and operation of the prison, only 1,050 prisoners were actually employed in the factories or on the farm. The only industrial activity at Leavenworth Penitentiary consists of shops to manufacture shoes, brooms, and brushes for the Indian Service and certain other Government departments and for the inmates of the Federal penal institutions. At Leavenworth most of the prisoners were employed part time, but there was not enough work to keep the prisoners properly engaged during ordinary working hours.



## CONDITIONS IN NONFEDERAL INSTITUTIONS

Persons convicted and held for violations of United States statutes are committed to the Federal penitentiaries, and are also sent to county and municipal jails, workhouses, and lock-ups. In many of the non-Federal institutions, especially county and city jails, the conditions are most deplorable. These jails are congested, and in most of them there is no provision for employing prisoners. In many of these places there is no separation of the guilty from the innocent; the sick from the well; the young from the old; and of the hardened criminals from first offenders. As these Federal prisoners were only boarders in these institutions and jails, the Federal prison authorities have been powerless to remedy the conditions affecting these prisoners and persons awaiting trial and detained as witnesses.

## HEARINGS

Hearings were held in Washington and invitations were extended to leading penologists of the country to attend them. The names of those who took a prominent part at the hearings are as follows: Capt. A. H. Conner, superintendent of prisons, and his staff at Washington and at the institutions; Mr. Herbert D. Brown, Chief of the Bureau of Efficiency, and his organization, including Mr. J. D. Bennett, Dr. Amos W. Butler, and Joseph W. Sanford; Dr. Hastings H. Hart, consultant in delinquency and penology of the Russell Sage Foundation; and Maj. Sidney W. Brewster, assistant to the commissioner of corrections of New York City.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. BOYLAN. Mr. Chairman, I ask unanimous consent to proceed for two additional minutes.

The CHAIRMAN. The gentleman from New York asks unanimous consent to proceed for two additional minutes out of order. Is there objection?

There was no objection.

Mr. MOREHEAD. Will the gentleman yield?

Mr. BOYLAN. I yield.

Mr. MOREHEAD. Can the gentleman give us some idea as to how many are confined in State and Federal penitentiaries?

Mr. BOYLAN. The present daily population is about 19,000.

## RECOMMENDATIONS

*Administration of prison system.*—First. The committee recommended that the office of the superintendent of prisons in the Department of Justice be made a major bureau in said department and that the superintendent of prisons be given an adequate organization to assist him.

*Extension of the probation system.*—Second. It was found that out of a total of 92 Federal judicial districts, only 6 employed probation officers. It was recommended that additional probation officers should be appointed as fast as they could be properly selected. It also recommended that the parole system should be altered and that Congress should enact a law establishing a parole board and giving it full authority to act on parole applications without requiring the approval of the Attorney General. It also urged the establishment of two institutions for the care of persons addicted to the use of habit-forming narcotic drugs as provided by the Porter bill.

Third. It further recommended the establishing of two new penitentiaries, one in the northeastern part of the United States and the other one to be located west of the Mississippi River.

Fourth. The committee also recommended that a bill be introduced to provide employment of Federal prisoners, for their training and schooling in trades and occupations.

Fifth. The committee also recommended the establishment of jails and workhouses for Federal prisoners at New York City, Boston, Philadelphia, Baltimore, Cleveland, Cincinnati, Chicago, St. Louis, San Francisco, and such other places as the need from time to time shall require.

After a committee reports to the Congress, in many cases, the report is promptly pigeonholed and nothing further is done about the matters that have been investigated. However, on account of the distressingly bad conditions existing in the Federal penitentiaries coupled with the general unrest of inmates of prisons and penitentiaries throughout the country as evidenced by the uprising and riots in the prisons of Leavenworth, Kans.; New York, Ohio, and other States, the solution of the prison problem was put squarely up to the Congress and the legislatures of the various States.

The terrible catastrophe at Ohio State Penitentiary at Columbus, Ohio, that caused the death of 319 convicts and injured 250 others is the most recent exemplification of the distressing conditions that exist in not only that State but in practically every State of the Union, and likewise in the Federal penitentiaries. It is pretty generally held by leading penologists

and humanitarians of the country that the great outstanding cause of prison disorders, is the prisoners' loss of hope. The trend throughout the country of imposing long prison sentences, together with reduction in releases and paroles has resulted in increased congestion in almost every institution. The release of prisoners on parole before the expiration of their sentence on evidence of their disposition to lead upright lives has been a powerful stimulus to self-restraint.

The herding of many in cells that are illy ventilated, insanitary, without adequate plumbing; often swarming with vermin; with most of their time spent in idleness and with the insufficient and poorly balanced diet is probably the worst of prison evils. While men are serving their sentence every effort should be made to keep up their morale and keep alive and stimulate their self-respect; and to prepare them to take their places in the world when they go forth from prison. In order to do this we must first of all establish decent living conditions in the prisons.

The prison should not rob a man of self-respect. The men who live in prisons should leave prison with hope in their hearts. Now what has Congress done to bring about an improvement in the conditions that this special committee found existed in Federal penitentiaries?

I am going to say to you that instead of taking a long sleep on the matter and trying to continue to make "sardine boxes" out of the prisons, we have awakened to a full measure of the responsibility that is ours and have passed the following legislation which are now public laws:

A bill to establish a hospital for defective delinquents.

A bill to establish in the Department of Justice a Bureau of Prisons.

A bill to establish two new institutions for the confinement of United States prisoners. One in the northeastern part of the United States, and the other one to be located west of the Mississippi River.

A bill to appoint additional Federal probation officers.

A bill creating a single board of parole, to consist of three members, to take the place of all existing boards of parole at Federal prison institutions.

A bill to provide for the employment of Federal prisoners, for their training and schooling in trades and occupations.

All these laws carry out the recommendations made by the special committee in its report to the House.

I congratulate the Congress upon this record. It really shows an appreciation of this most important problem confronting us, and the prompt response to the recommendations of the committee is indicative of the attention and thought that has been given by the Members of both Houses to this most pressing matter.

It is well for us to have in mind that the unfortunate who is in the toils of the law needs our help, our sympathy, our counsel, and support, because our aim should be to make the prisoner of to-day the respected citizen of to-morrow.

If we do this, we can, indeed, say that we have assumed the responsibility of being our brother's keeper, and that we have discharged that duty to the best of our ability. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has again expired.

Mr. FISH. Mr. Chairman, I move that the committee do now rise and report the resolution back to the House with the amendments, with the recommendation that the amendments be agreed to and that the resolution as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. CHINDBLOM, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having had under consideration the resolution (H. J. Res. 322) authorizing payment of the claim of the Norwegian Government for interest upon money advanced by it in connection with the protection of American interests in Russia, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to, and that the resolution as amended do pass.

Mr. FISH. Mr. Speaker, I move the previous question on the resolution and amendments to final passage.

The previous question was ordered.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them en gros. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is now on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FISH, a motion to reconsider the vote whereby the resolution was passed was laid on the table.



## MINORITY VIEWS

Mr. GARNER. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. TUCKER] may have until next Monday to file minority views on bills reported by the Judiciary Committee.

The SPEAKER. The gentleman from Texas asks unanimous consent that the gentleman from Virginia [Mr. TUCKER] may have until Monday to file minority views on bills reported by the Judiciary Committee. Is there objection?

Mr. LA GUARDIA. Mr. Speaker, reserving the right to object, I ask unanimous consent to modify the order which permitted me to have until midnight to-night to file minority views. I would like to have until Monday next, because I want to confer with the gentleman from Virginia.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

## ADDRESS OF HON. FRANKLIN W. FORT, OF NEW JERSEY

Mrs. ROGERS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing therein a speech delivered by Hon. FRANKLIN W. FORT in Newark last night upon prohibition.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mrs. ROGERS. Mr. Speaker, under leave to extend my remarks I include an address delivered by Congressman FRANKLIN W. FORT, of New Jersey, at initial rally of north Jersey supporters in East Orange High School, East Orange, N. J., May 28, 1930. The meeting was under the auspices of volunteer Fort workers of Essex County. Lincoln E. Rowley, city clerk of East Orange, was chairman. Speech and program were broadcast over station WOR.

Congressman FORT's speech is as follows:

## SPEECH DELIVERED AT INITIAL RALLY OF FORT WORKERS, ESSEX COUNTY, N. J.

Mr. Rowley, friends, and neighbors, may I thank you all for so many of you coming out here on this very bad night. I appreciate it from the bottom of my heart and appreciate the feeling of personal friendship and of loyalty to the cause which I represent.

I have a speech which I have prepared for this evening, but before delivering it I want to comment very briefly on another question. From many sources I hear that a speech on prohibition which I made last January in Congress is being misquoted and distorted by opposing speakers. I shall therefore make it the subject of my next speech over the radio, the date of which has not yet been fixed, but will be in the near future. In the meantime I trust that those who speak about it will first read it and in their comments on what they are pleased to call the light-wine and home-brew plea will include the fact that the speech referred to the making of those beverages if nonintoxicating in fact, and not otherwise. [Applause.]

The issue of this campaign is not of my making. Mr. Morrow devoted his entire first speech and statement of the campaign to it. Senator Frelinghuysen made it the subject of his most important public statement; and Mr. Kelly—of whom I know nothing, except that he is running as opposed to the eighteenth amendment—has no other issue. Neither of my chief opponents stands before the people of this State favoring any modification of the Volstead Act. Neither stands before the people of this State favoring what we have heard of in the past as light wines and beer. It is the first time, my friends, so far as my knowledge goes, that the question of whether the eighteenth amendment to the Constitution shall be retained or repealed has been the clear-cut and unmistakable issue in any State in the United States.

Now, then, with my opponents urging the repeal, the first query that is before us is whether the method of change from existing conditions which they advocate is a practicable method, and for the consideration of that we must dip back a little ways into history. Prior to the adoption of national prohibition 24 States of the Union had adopted state-wide prohibition by popular vote; 9 additional States had adopted prohibition by a vote of their legislatures. So that before the eighteenth amendment was adopted in the United States 33 States had adopted of their own volition state-wide prohibition. Nevertheless, the interstate traffic in liquor remained. The bootlegging from the 15 wet States to the 33 prohibition States produced a situation of defiance of law, of unenforceability of State prohibition statutes, with the result that in 1913, seven years before national prohibition became effective, the Congress of the United States passed, and then passed over the veto of President Taft by a two-thirds majority, a law which, stripped of its unnecessary words, reads as follows:

"That the shipment or transportation in any manner or by any means whatsoever of any intoxicating liquor of any kind from one State into any other State or from any foreign country into any State

which said intoxicating liquor is intended to be received, possessed, sold, or in any manner used in violation of any law of such State, is hereby prohibited."

And that law was sustained by the Supreme Court of the United States.

Still, the States that wanted prohibition could not stop the flow of liquor over their borders from the States that still had the legalized sale. The temptation to the manufacturer, in the State that permitted manufacture, to spread his traffic; the temptation to the bootlegger—and "bootlegger" is not a word the eighteenth amendment put in our language, neither is "speak-easy"—the temptation to the bootlegger to transport his goods from the State that permitted the manufacture to the State that didn't was exactly the problem for the 33 dry States that we have to-day in all 48. And those 33 States—not for the purpose of enforcing their will upon us, but for their own protection and the enforcement of their own laws—found and felt that the only possible cure for this situation was to wipe out the traffic in liquor as a legal traffic, not only in 33 States but in 48 States. They had only one of two alternatives. When the Webb-Kenyon law—which I just read to you—had failed in its effect, when it had failed to achieve what had been hoped of it, they had only one of two alternatives—to establish a great national police force to police the borders of every one of the 33 dry States and prevent the interstate shipment of liquor from one State to the other; or the alternative which the Nation solemnly adopted, not by the vote of 33 but by the vote of 46 States—national prohibition of the traffic anywhere! [Applause.]

That's the history of prohibition as a national question, and when anybody in this or any other election attempts to say that you can repeal the amendment and still set up any vestige of authority in the Federal Government to regulate interstate commerce that the Webb-Kenyon law doesn't enunciate he speaks without knowledge of the legal facts and the effect and the history of prohibition.

It was the same experience under local option which finally produced state-wide prohibition in those 33 States, because the cities which didn't want it found that it was bootlegged over their borders from the cities which permitted its sale. Now, that must all be understood if we are going to discuss the possibility of the repeal of the eighteenth amendment or any method that is suggested for that repeal.

What is the method of repeal of an amendment to the Constitution of the United States? Well, first you have to get the consent of two-thirds of the Members of the House of Representatives and two-thirds of the Members of the United States Senate. The Webb-Kenyon law, the Volstead Act—the eighteenth amendment itself—had secured more than two-thirds of the votes in each branch of Congress. The first thing, then, that has to be done before the repeal of the amendment is possible is to convert the vote in each branch of Congress from over two-thirds favoring national prohibition along present lines to two-thirds against it. To-day nobody contends that in the Senate of the United States there are more than 22 Senators out of the 96 who would by any conceivable chance vote for the repeal—and the Senators who have been renominated or nominated for election in various States of the United States to-day—in the great Republican States of South Dakota, Illinois, and Pennsylvania—are all pledged to the eighteenth amendment. [Applause.] You have got to increase 22 Senators to 64 before you can get the resolution through the Senate—and we only elect one-third of the Senate every two years. It is going to take quite a while to change that.

Now, in the House there are only 61 Members to-day ready to stand up and be counted for any possible change in the law—61 out of 435 [applause]—even for a change in the Volstead Act, let alone the amendment. You have got to increase that 61 to 290 before you have two-thirds. There were 128 Members of the House who voted against the eighteenth amendment in 1917. There were 100 who voted against the Volstead Act; there were still about 100 when I entered Congress in 1924. To-day there are 61—and only 61. You have not only to reverse the downward trend in both the House and Senate but you have to convert it into a powerful upward swing, which will bring it up to a point that the wet forces have never had—that is, a two-thirds majority of the House and Senate—and you have got to do it in the face of the fact that not only have these senatorial primaries resulted as I have said but every Representative up for reelection in any State of the United States in any primary thus far held has been renominated—wet or dry—Illinois, Pennsylvania, South Dakota, wherever you look, every man has been renominated.

But let us assume that in 6 or 8 or 18 years you might get two-thirds of the House and two-thirds of the Senate. Then what have you got to do? Well, first, you have got to get them for the same plan—either Mr. Frelinghuysen's or Mr. Morrow's—or some other genius's. They can't vote for a different plan; they have all got to vote for the same one. After you get that you have then got to ratify that change by the votes of 36 States out of the 48, and you have got to get in each of those States both the house and the senate in favor of it. Thirty-three out of the 48 States were dry before the amendment; that leaves you only 15 which were not for state-wide prohibition before it was adopted; and it was ratified by 46 out of 48, remember. You have



to get 21 of the 33 States which had prohibition before the amendment to add to the wet 15 before you can ratify any change after you get two-thirds of the House and two-thirds of the Senate to say that they want to change it. And in that 15 you have to count New Jersey—New Jersey which ratified after a state-wide campaign. And in every speech I make I am challenging my opponents to name 11 out of the 21 counties in the State of New Jersey that will elect a senator to the State senate on the issue of the repeal of the eighteenth amendment who favors the repeal. [Applause.]

And this is supposed to be the wettest State in the Union! I put that up to two great political leaders in this State, both of whom would like to see it repealed. One of them named 6 which he thought he was sure of, and the other hoped for 8. You can't do it, and no man who knows the State of New Jersey can name 11 such counties out of the 21.

My friends, my opponents are taking quite a contract when they promise to the people of the State of New Jersey that their election will help or produce the repeal of the eighteenth amendment. How long is it going to take? It isn't going to come this year; it isn't going to come next year. It isn't going to come for very, very many years. Mr. BECK, a great antiprohibitionist in the House, conceded on the floor the practical irrepealability of the amendment and offered another solution; and even our own old Senator Edwards, whose wetness no one will question, said last week in reference to the speech of one of my opponents who declared for the repeal of the amendment: "He'd better say that in New Jersey if he wants to get elected, but it never will be repealed—and he knows it." [Applause.] The people of the State of New Jersey my friends, have elected Edwards governor, have elected Silzer governor, have elected Edwards Senator, have elected Edge Senator over a period of eight years for the purpose of a change in the law—and the only change in the law that has come has been to strengthen it! [Applause.]

Now, this is important—why is it chiefly important? It is important because there are real and grave evils in the present situation. But the cure for those evils is not to hold out false hopes to the man who wants the amendment repealed—not to give him the belief that his defiance, his disobedience of the law is a temporary thing—but is to put straightforwardly to every American citizen the fact that if he continues in nonobservance he is adopting a lifetime policy. You can't enforce this or any other law when the men who should be the great leaders on public thought give it a lip service for observance and enforcement and spend the rest of the time holding forth false hopes of its repeal. [Applause.]

Now, what are the evils? Well, one that I hear a good deal about is the loss of revenue and the cost of enforcement. I admit that apparently there is a loss. In the lobby committee hearings at Washington it developed that the Association Against the Prohibition Amendment was planning to circularize every man in the United States whose income was \$100,000 a year or over to point out to him that a 3-cent tax on each glass of beer would eliminate the corporate tax and the higher individual income taxes—and pass the taxes they were paying on to the people. But I say to my friends of wealth that the greater buying capacity of the American people for the necessities and luxuries of life produces more income to those very same men than they would save in taxes if they lost all of their tax bills. [Applause.]

The prosperity of this Nation in the last 10 years has outstripped any dreams of any nation in history. That prosperity has depended upon industrial efficiency and upon mass production. It has depended upon the market for luxuries and semiluxuries. There is not a home in America to-day, be it ever so humble, that has not behind its doors what in most of the rest of the world would be the height of luxury—and the purchases of the American people for those things have grown by leaps and bounds since the legalized traffic in liquor ceased. There is many a man who would lose his job if the traffic in liquor came back. Take the various branches of the automobile industry, for example. You can't buy gasoline and beverage alcohol out of the same pay envelope. [Applause.]

Now, as to the next issue. I am glad to see that one issue that has heretofore been made is not raised in this campaign. I honor Mr. Morrow for his courage and wisdom in conceding that there was nothing at all to the personal-liberty argument; that the Government had always had and always would have full power to regulate or prohibit the traffic in liquor; and, of course, that is so. If the right to have liquor is an inalienable right that goes to every American citizen, then the man who stands for the repeal of the eighteenth amendment must also stand for the substitution of an amendment which will prohibit any State from prohibiting the traffic. If it is the inalienable right of the American citizen to have it, then it is inconsistent with the institutions of our Nation that any State should prohibit it. That seems to me perfectly clear, and I am glad that neither of my opponents has fallen into that argument. That issue, like the light-wines-and-beer argument and the modification of the Volstead Act, is not involved in this campaign.

Then they talk about the youth of the land. That is something that touches pretty close to all of us. Personally, I want to record in the most emphatic way I can—and I have seen a lot of youngsters in the

last few years—that I believe in the youth of America and I believe they are going to be a finer generation than we are now. [Applause.] You notice that when people talk about the harm that prohibition is doing among the children it is usually somebody else's children they talk about. When anybody talks to me about the depravity of modern youth, I tell them to go back into a quiet corner and think about their own. And it is almost always other people's children, except occasionally, when you hear parents talk about it who are not observing the law themselves.

I can't see how any parent can expect his child to observe either parental authority or the law of the land if the parent denies to the law of the land the duty he owes it. I can't see how anybody who lived in New Jersey from 1890 to 1910, when I was growing up and in my young manhood, can say that there is more drinking among boys than there was then. I took drinking up myself as a boy of 18 at college because it seemed to me an absolute social necessity without which intercourse with other boys was practically an impossibility. When people tell me that it is worse now, I just don't believe them. [Applause.] They talk about the girls. Well, girls didn't use to smoke, did they? And if they went out to a dance they carried a chaperon and got home at midnight. Now they go out at midnight, and the chaperon is as extinct as the dodo. [Laughter.] I wonder how many mothers honestly think that their daughters have poorer promise of being fine mothers a few years from now than they had when they were their daughters' age. I have no fear for the girls of America. They are going to grow up to be the mothers of a finer next generation, just as the mothers of this generation are mothers of a finer one than the one that went before.

Then, they talk about drugs. Well, now, the difficulty of that is that it is a 2-edged sword for the antiprohibitionist, because the trouble with drugs is that even Government control doesn't seem able to stop the traffic. We have the strongest kind of prohibition of the drug traffic. Do they want to repeal it? Do they want State rights on drug control? Certainly not. What are the facts about drugs? They say there are a million users. Well, if there are, that's more than there are drunkards now. Would you legalize the traffic in drugs to get rid of them? Or would you keep it a secret, sneaky, back-alley thing? The Los Angeles Board of Health said that out of 500 addicts—and, by the way, I got this out of the Literary Digest, which is sort of a bible for the antiprohibitionist [laughter]—the Los Angeles Board of Health says that out of 500 cases of drug addicts that they examined there were either three or five, or some such number, who were the result of prohibition.

What is the truth? The truth is, first, that drug addiction and liquor are almost never found in the same individuals. It is a different kind of craving. The truth is, secondly, that drug addiction usually comes from its use in a medicinal way. The liquor habit usually comes from social indulgence. And then how can prohibition have caused drug addiction if there is as much liquor around to drink as antiprohibitionists say there is? Liquor is cheaper even now than cocaine—and easier to get, so the antiprohibitionists say. My friends, in the drug habit you are dealing with a different type of thing from the liquor habit, and there is little or no association between them. The only similarity is that the traffic in each is an evil thing that can be dealt with only by the strong arm of the Government.

Then they come to graft and corruption—and that's bad. But is it anything new? Can anybody remember a time—whether the liquor traffic was legal or illegal—when it has not had its political effect, when it has not been accompanied by graft and corruption? I can't. Graft and corruption is its hand maiden, and it always was. And would they repeal the laws against gambling, against the trade of gambling? Plenty of graft and corruption in connection with that. Shall we repeal the laws against public gambling in order to stop the graft and corruption?

How about interstate traffic if we go back to State rights? Is there going to be no graft and corruption in that? If Pennsylvania is dry and New York is wet, isn't anybody going to pay any money to get liquor across the border between the States? Isn't anybody going to pay money to the police of Philadelphia or Pittsburgh to run a speak-easy? My friends, with 33 States dry and 15 wet, you would have the identical condition of corruption—and you would have it in a more difficult form, because you would have legalized manufacture from which the liquor could flow. There is only one way to stop graft, and that is to keep the traffic outlawed and give to the American people leadership toward observance of the law. [Applause.]

How are you going to deal with this condition pending the repeal that these other gentlemen urge? I have pointed out to you that it will take years and years to repeal it—if it's ever repealed—and throughout that entire period you are going to have these great men of eminent respectability and fine talents preach to the people of America that the law is a temporary thing; that it is a hateful thing; that it is a thing we must get rid of. Are our inferior officers in the offices of the government going to have any zeal for enforcement when the leaders feel that way? Are the people going to become keyed up to a realization of the duties of good citizenship when their leaders talk that way? The reason that I am in this campaign, despite all other suggestions, is that a year or two ago I made up my mind that the question of



prohibition and the evils of prohibition would never be settled in the United States of America until men who not only saw the evils but also saw the good were ready to stand up and fight on this question. [Applause.]

Now, what are the benefits? I told you about the evils. What are the benefits? The benefits are economic, they are social, they are translated into the happiness of wives and children. You don't see many human derelicts on the streets any more. Read Evangeline Booth's testimony on that subject. You see mighty few wives toiling to support drunken husbands. They used to be a fixture, as Samuel Crowther said. Our children through our schools so that we can hardly build enough to house them. They don't have to go to work so young as once they did. Washing machines have replaced taking in washing. My friends, in these 10 years we have stepped forward and forward with gigantic strides. We are on the verge of the 5-day week in industry, in business, because we have advanced so far and so fast in industrial efficiency and methods that we can't keep our people busy all the time and give everybody a job. Ireland has had to adopt a law closing all the public drinking places at 3 o'clock on the day before a holiday and keep them closed until the day after.

England has had to adopt a law closing public drinking places from 11 o'clock until 2 in the afternoon every day. Why? Because without those laws they can not match the industrial efficiency of the American workman since we no more have the legalized sale of liquor. My friends, the restoration of the legalized traffic of liquor in this country would ruin every step we have made in 10 years. All these benefits may not be due to prohibition; but it's a fact that we are the only great Nation in the world that has had prohibition in those 10 years—and we are the only Nation where all these things have happened. Certainly, if prohibition didn't cause them, it didn't hinder them. My belief is that our industry, our health, our happiness depend upon the continued diversion of our pay rolls from the purchase of liquor to the necessities and the luxuries of life. [Applause.]

I have 225 years of New Jersey blood, and the insulting phrase that I hear so often—that New Jersey is the wettest State in the Union—hurts. Sometimes I am afraid it's true. Why is it true? Not that the people of New Jersey are any less patriotic—are any less law-observing—are any less willing to give up their own pleasure for their fellow man than the people of other States. No; it is because for 10 years the political leadership of this State has boasted that it would make the State wetter than the Atlantic Ocean! It's because every ounce of leadership that there has been has been opposed to prohibition. With your help and the help of the rest of the people of New Jersey I want to clear the name of my native State. [Applause.] I want to put New Jersey back into the Union—back into the Union with her old banner of "Jersey justice" flying—with her motto, "Law observance." [Great applause.]

#### ADDRESS OF HON. MAURICE H. THATCHER

Mr. OLIVER of Alabama. Mr. Speaker, at the recent commencement exercises of the University of Alabama, which have just been concluded in my home city of Tuscaloosa, the board of trustees of the university conferred on Hon. MAURICE H. THATCHER the honorary degree of doctor of laws. I wish now to ask unanimous consent to insert in the RECORD a most interesting address delivered by Mr. THATCHER at the annual alumni meeting, held in Tutwiler Hall on the afternoon of May 26, 1930. The address was enthusiastically received by a large and representative audience.

The SPEAKER. Without objection, it is so ordered.  
The address is as follows:

#### THE PANAMA CANAL—ITS HISTORY AND SIGNIFICANCE

At the outset I desire to acknowledge with the deepest sense of appreciation the very great honor and compliment which has been paid me by the invitation to address you on this occasion. I have been delighted to accept that invitation and to be with you. I am very happy to meet the very able and distinguished president of the university, Doctor Denny, members of the faculty, many of your students, and so great a number of the alumni. The University of Alabama is, indeed, famed at home and abroad for its great educational, cultural, and inspirational achievements. Its students and graduates by their splendid accomplishments in every worthy field have carried throughout the Nation and across the seas the fame of this great center of learning. The university has a past of which it may well be proud, a present that is worthy of its past, and it now moves on to a future that, rooted in and inspired by all that has gone before, shall be of the most splendid and outstanding character.

The opportunity which has thus come to me is doubly appreciated; first, because of the high honor that is borne by any invitation which may be given by or for the university; and, second, because of certain other considerations which most strongly appeal to me from a personal and sentimental standpoint. I trust that I may be pardoned in briefly alluding to those considerations. One of my best friends in the House of Representatives is a graduate of this great institution and formerly

served as dean of its law school. He is an invaluable Member of the House and is possessed of the highest mental and moral gifts. During the seven and a half years of my congressional tenure I have served with him as a Member of the House and also as a member of the House Committee on Appropriations, and I feel that after this period of close personal and official contact and association with him I am fairly well qualified to appraise his character and worth.

I, therefore, suggest that no man in either branch of the National Legislature stands higher than does he. His habits of industry and investigation, his effectiveness of speech, his courtesy in debate, his fairness of viewpoint, his patriotic outlook, his wide information, and his wise judgment and courageous action all contribute to render him one of the most useful Members of Congress, and he is performing for his State and Nation services of the most inestimable character. Because of the high regard and affectionate esteem in which I hold him, I feel that I owe it to him and to his friends in his home community here and now to say as much. I refer, of course, to the Representative in Congress from this district, Hon. WILLIAM B. OLIVER.

In this connection I may add that my relationships with the distinguished congressional delegation of your great State as a whole have been of the most pleasant character. I recall also that one of the ablest men Alabama has ever sent to the Halls of Congress was a Kentuckian by birth, Louisville being the place of his nativity, Senator Oscar W. Underwood.

#### GENERALS GORGAS AND SIBERT

Again, as some of you may know, it was my greatly esteemed privilege to have served on the Isthmian Canal Commission during the peak of the construction period—that is to say, during the years 1910, 1911, 1912, and 1913—with two of Alabama's most distinguished and greatly beloved sons, Gen. William C. Gorgas and Gen. William L. Sibert. The first named some years ago passed to his eternal reward, leaving behind him a record of noble, unselfish, effective, humanitarian service, unexcelled, as I believe, in all the world's history. At Ancon, in the Canal Zone, the chief offices of the department of civil administration, of which department I had the honor to be the head, were in the same building where there were maintained the chief offices of the department of sanitation, of which General Gorgas was the head. In addition we both resided in Ancon, our homes being very near each other. Mrs. Thatcher and I had never met the Gorgases before we went to the Isthmus, but we had heard of them and of how they were universally beloved for their wonderful qualities of head and heart.

Thus I was thrown into the most cordial and intimate relationship with General Gorgas, then Colonel Gorgas; and this was true as regards Mrs. Thatcher and Mrs. Gorgas; and one of the most grateful and tender memories of the lives of my wife and myself is that of our association with the Gorgases on the Isthmus of Panama. In Washington, after I came to Congress, which was after the death of General Gorgas, Mrs. Thatcher and I were able to renew our delightful association with Mrs. Gorgas. Some months ago, however, this splendid helpmate of the world's greatest sanitarian, to the great shock and grief of her innumerable friends, went to join him in "sunlit fields." Two finer, nobler, more useful lives have never been lived in this Nation of ours; and the story of their union, and of their comradeship through the years, forms one of the most beautiful that may be encountered in the pages of history.

Except for the indispensable work of General Gorgas in ridding the Isthmus of yellow fever and plague, and except for the unequalled sanitary work in the Canal Zone and its environs, in the reduction of malaria under his attack, thus repeating the splendid work he performed in "cleaning up" Cuba, the Panama Canal would never have been built, unless another Gorgas had come upon the scene; but thus far the world has produced only one William Crawford Gorgas.

And here in this university place it is gratifying to know that the two sisters of General Gorgas yet live, bearing the love and esteem of all who know them, and occupying the selfsame residence where their revered parents once lived. One of these esteemed survivors yet holds, I believe, a position of honor and trust in your university organization, just as did her mother before her. Also, I believe, Gen. Josiah Gorgas, the father of Gen. William C. Gorgas, once served as president of this institution. Hence the name of Gorgas has been associated for a great many years with the University of Alabama, and runs like a golden thread through the university's history.

And speaking of the mother of General Gorgas, of sanitary fame, may I be permitted to recall an incident which may hold something of interest and appeal for you. On the Isthmus, at Ancon, on a certain morning during my service there, I had occasion to confer with General Gorgas touching certain official matters. Accordingly, I went from my office on the second floor of the administration building to his office on the first floor. He welcomed me in his usual gentle and cordial way, and told me that he had just received the news of his mother's death; and then, with serene and smiling face, he proceeded to speak of her lovely graces, her great qualities of mind and heart, of interesting incidents about her, of her useful and unselfish life, and of the ripe but youthful age which she had attained before passing into the



Great Beyond. In speaking of her in terms of idealization, reverence, and love, he seemed very happy. Whatever pain may have tugged at his heart seemed to yield—so far as visible evidence or expression was concerned—to the proud satisfaction and memory which were his because of the fact that he had been blessed with such a mother. To him she was not dead, and could never be. He thought of her only in terms of life and loveliness. I was very much struck and touched with his brave, cheerful, smiling manner; and this attitude was characteristic of him. He always possessed the power to look into the heart of things, and to interpret them. He ever sought to avoid the thorn and find the rose. To know General Gorgas was to love him. Strong, gentle, patient, persistent, courageous, clear-visioned, and high-purposed, he was "master of his event," and in his great service for humanity he won a place among the immortals.

As for General Sibert, I can speak of him in much the same manner as I have spoken of General Gorgas. He is claimed as an adopted son of Kentucky, and Kentuckians join you in the feeling of State pride because of his great achievements. Upon leaving the United States Military Academy, upon graduation, he was assigned to duty as engineer in charge of the improvements on two of Kentucky's most important streams, Green and Barren Rivers, in the western portion of the State where I grew to manhood. In that work he achieved distinction, and his splendid ability, together with his strong, genial nature, made friends of all with whom he came in contact. These friendships survived separation and the passing of the years; and when his great work was finished on the Isthmus, he purchased a farm adjacent to Bowling Green, where he had lived when he first came to Kentucky, and there on Barren River he to-day makes his permanent home.

General Sibert has had a career of the greatest eminence. On the indicated streams in Kentucky, and later, with widened jurisdiction in which was included an important section of the Ohio River, as United States engineer, at Louisville; also as engineer in charge of the upper Ohio, he assumed and discharged his duties in such a way as to bring him to the front rank among the engineers of the Nation. Thus he came to be chosen by President Roosevelt as a member of the Isthmian Canal Commission in 1907, and served until the commission's work was completed in 1914. In that capacity he built the great locks and the dam at Gatun, and dredged the channel of the canal from Gatun to the open sea. In the successful negotiation of these great engineering features he won rank among the world's most outstanding engineers, and imperishable fame. During the World War, at home and abroad, he served the cause of the American and Allied arms with great honor and distinction. More recently, as you know, he has served, and is yet serving, I believe, as chairman and chief engineer of the Alabama State Docks Commission; and in the construction of model docks at Mobile there is to be found but another evidence of his splendid professional and executive ability. These modern and efficient shipping facilities will enable the great State of Alabama to utilize, in a way hitherto unknown to it, the agency of the Panama Canal to quicken and increase her trade with Latin America and the Orient.

In the Canal Zone I counted General Sibert as a close friend and wise counselor, and the association there with him, both personally and officially, I prize as one of the most gratifying and valued of the memories I hold of the Isthmus.

As General Sibert is an alumnus of the University of Alabama, all of you must be proud of his great success in life; and we in Kentucky, who call him fellow Kentuckian, join you in Alabama, who call him fellow Alabamian, in the earnest hope that for many years to come he may be spared for further usefulness to the country he has served so long and so well.

Thus the University of Alabama presents to me the strongest possible appeal, and not only to me but to Mrs. Thatcher as well; and she has come with me to Tuscaloosa to see this historic institution and to meet and mingle with you. She joins me in thanking you a thousand times for the cordial greeting you have given us and for the charming hospitality Doctor and Mrs. Howe, Doctor Ott, Doctor and Mrs. Denny, and all of you are according us.

#### THE PANAMA CANAL

When it came to choosing a subject upon which to address you I was in something of a quandary. No theme had been assigned me, and it was very difficult to determine what particular one might appeal to you; but it occurred to me that possibly some discussion of the Panama Canal might interest you, especially so as I might venture to speak of it because of my service in connection with its construction; and because also of the fact that through two of her native sons, the State of Alabama, as has just been stated, played such an important part in that construction.

I thought that I might bring to your minds afresh the fact that not only did your own beloved Commonwealth make such an invaluable contribution to the successful negotiation of this vast project, but that the South, generally, in very high degree, contributed in this result. And then I thought again that some brief historical background of the Isthmian enterprise, together with some statement of its physical features, supplemented by some suggestion of sequences and significances, as I am able to see them, might be appropriately presented. My good

friend Congressman OLIVER, to whom I mentioned the matter, thought that an address along these lines might be deemed desirable; and thus has been predicated and fashioned what I shall have to say.

Therefore, at the risk of being trite, and at the further risk of recalling to your minds some very well-known facts and deductions, I venture to proceed in the indicated manner.

We are to-day living in a wonderful age—the age of a million contacts—and one of the most absorbing in all the world's history. Progress in the arts and sciences in the present generation has been unprecedented. In fact, this progress has been such that our lives in America have almost been revolutionized within the past 25 years. The development of the agencies of communication and transportation has been of the greatest and most significant character. The automobile and hard roads contribute to bring about closer, quicker contacts on land, thus aiding the railroad lines of the country in this regard.

The dream of a heavier-than-air flying machine has come true; and in our own and foreign lands, airplanes, with almost the speed of light, traverse the skies, carrying passengers, the mails, and articles of commerce. The giant airship has also been developed to such an extent that with cargoes of passengers and freight it may cross the seas, circle the globe, and thus join the airplane in its conquest of the air. The radio or wireless, perhaps the most uncanny of all inventions, to-day performs its miracle of sound transmission through every land and clime, and by means of its mysterious power it has come to pass that the least, low whisper may be heard all round the earth. The simplest statement of present-day facts exceeds the most extravagant stories of romance and imagination of other days. Lindbergh's lone flight across the Atlantic, Byrd's flights over the two poles, the passage by plane over the vast Pacific navigated by American and British airmen, and the belting of the globe itself by Eckener and his party in the *Graf Zeppelin*, constitute deeds of daring and high adventure of the most heroic character, and, for boldness of conception, courage, and skill in execution, and in dramatic appeal and effect, they have never been equaled in the world's history. Yet the marvel of to-day is likely to become the commonplace of to-morrow. The pioneers of earth and air and sea with dauntless spirit put everything to the hazard of a touch. If they lose, they are generally accounted vain and foolish. If they win, they are acclaimed heroes for all time, and on their bold achievements is based the progress of the future. Nevertheless the success of those who accomplish great things is largely dependent upon the sacrifices, the experiences, and mistakes of those who fail. So it has come to pass that the old maxim to the effect that what man has done, man can do, has been transformed, in the light of modern achievement, into "what man can not do, man will do." Certainly this, in substance, is true touching material progress and material accomplishment, whatever may be our doubts upon the score of the world's moral and spiritual advance. One of the great problems of to-day is how to prevent the agencies of civilization from becoming Franksteins to destroy us.

#### AMERICA UNDERTAKES THE CONSTRUCTION OF THE PANAMA CANAL

Thus it came about that within the present generation the American Nation undertook the greatest industrial enterprise of history, that of constructing a trans-Isthmian canal to connect the Atlantic and Pacific Oceans. The French had failed in their attempt to construct such a waterway at Panama, and that failure constitutes one of the most tragic episodes of history. The war between the United States and Spain in 1898, and the consequences which flowed therefrom, taught our people two great lessons. The first was that of the need, from the standpoint of our military and naval protection, for the construction of the Isthmian Canal. The long, thrilling flight of the battleship *Oregon* from our northwest coast down around the southern tip of South America, and thence northwardly to Cuban waters in time to assist the American squadron in the destruction of the Spanish fleet in Santiago Bay, impressed in the most forcible manner the value of such a connecting waterway through Central America. The second lesson was that afforded by the "clean-up" of Habana by our Army upon American occupation at the close of that war, and the absolute eradication of yellow fever, and the great reduction of malaria in Cuba. The need for such connecting link between the two great oceans being thus so strikingly revealed to our people, caused them to resolve without delay to take the necessary steps for the achievement of this mighty project. The lessons learned in Cuba gave our people encouragement to believe that what was done in Cuba in a sanitary way under the leadership of Gorgas, might also be done on the Isthmus of Panama, which was then accounted to be the greatest plague spot in existence. When the American people are really in earnest there seems to be no undertaking too great for their achievement. The spirit of the individual heroes of our American life finds its collective expression in the ardent purposes of a great people, rich beyond all others in vision, skill, and daring, and also surpassing all others in the possession of material means with which to accomplish great ends.

#### EARLY ISTHMIAN HISTORY

Before proceeding further, however, with the story of the actual construction of the Panama Canal, permit me to present something of



historical background. The Isthmus of Panama, ever since its discovery by the early Spanish navigators, has been a land of entrancing historic and romantic interest; so much so, that, in any narrative relative to the canal, one is tempted to wander off into numberless by-paths. In his epoch-making voyage to the westward, over the unknown "Sea of Darkness," the inspiration which dominated the great-souled Columbus was the hope that he would discover a western passage to the Indies.

On his fourth voyage to the New World, further endeavoring to find such a passage, and having been told by the natives of the West Indian Islands that there was a strait through which one could pass westward into waters which led directly to the much-famed land he was seeking, Columbus cruised along the Atlantic shores of the Isthmus of Panama from September, 1502, to January, 1503, and on November 2, 1502, discovered and named the Bay of Porto Bello (beautiful harbor), located 20 miles east of the Atlantic entrance to the canal. He sought to find this passage, but he was doomed to disappointment. His efforts were in vain. He died in the belief that he had found the western shores of the continent of which the Indies were a part; hence the name "West Indies" bestowed by him on the islands he discovered in the west Atlantic waters.

In some quarters, however, it has been claimed that Columbus was not the first civilized man to touch the Isthmian shores. That honor has been urged in behalf of at least two others, both Spanish navigators, who, inspired by the voyages of Columbus, are said to have visited the Atlantic coast of the Isthmus in 1501. One of these was Alonso de Ojeda, and the other was Rodrigo de Bastidas. It has also been claimed that Vasco Nuñez de Balboa, a hardy Spanish cavalier, was with Bastidas when the latter visited the Central American shores in 1501. Eight years later the first Spanish settlement on the mainland of the New World was planted at Nombre de Dios (Name of God), on the Atlantic coast, a few miles southeast of the Bay of Porto Bello, Balboa being its head. No Spanish exploration of the interior country was attempted, however, for several years because of the mountainous barriers and practically impenetrable jungle everywhere to be encountered; but the story of the Indians who inhabited the country to the effect that there was a wealth of gold in that interior; and also, that another great sea lay southward at a comparatively short distance from the Atlantic, finally influenced Balboa, in 1513, to start upon the journey of exploration that proved to be so greatly historical in results. Accompanied by a small band of about 200 Spanish soldiers and Indian guides, and after days of most difficult and dangerous passage through jungles and over mountains, on September 25, 1513, he discovered the Pacific Ocean; and on September 29 he claimed formal possession thereof in the name of the King and Queen of Castile, naming it Mar del Sur (Southern Sea).

The name Pacific was not applied until seven years later when it was bestowed by Magellan, the great Portuguese navigator. Balboa first beheld the waters of the Pacific from a mountain peak in the Darien country, southeastward from the site of the present canal. Traditionally it has been claimed that Balboa was familiar with that part of the Isthmus of Panama occupied by the Panama Canal Zone; but there is no authentic record to substantiate this. In the interior of the Canal Zone there is an elevation of something over 1,000 feet above sea level, called Balboa Hill, from which on a clear day both oceans may be seen. From this elevation I have seen both the Atlantic and Pacific waters, and last summer when Mrs. Thatcher and I flew from ocean to ocean over the Panama Canal, in this mid section of the Canal Zone we were able to see, from the plane, both oceans.

Balboa's discovery of the Pacific revealed definitely to civilization the fact of the narrow strip of land lying between the two great oceans and connecting the two great continents, afterwards to be known as North and South America. Immediately there sprang into the brain of man a dream that would vex it for nearly 400 years, and until it ultimately came true; that is to say, the dream of an artificial waterway to connect the two oceans. For about 100 years the Spanish settlement at Nombre de Dios was maintained; and then on account of the healthier location at Porto Bello the former place was abandoned and the colony was maintained at Porto Bello. In this connection it is interesting to note that the rock necessary for use in the concrete construction of the locks at Gatun was secured from quarries at Porto Bello. At the mouth of the Bay of Porto Bello Sir Francis Drake, world navigator, one of Great Britain's naval heroes and long the scourge of the Spanish Main, found his grave in 1596. It is believed that he died of yellow fever, a malady prevalent in this part of the world ever since the white man made his advent there, but to which the native people are immune.

In 1519 the Spanish founded the old city of Panama on the Pacific shore, about 7 miles from the present city and the Pacific entrance of the canal, and less than 9° north of the Equator. Considerable gold was found by the Spaniards among the natives and in the country now constituting the Panamanian Republic; hence came the early Spanish designation of this land, *Castilla del Oro* (Castle of Gold); and in the contiguous waters of the Pacific Ocean, especially in and about Pearl Islands, lying in the Gulf of Panama, a great many valuable pearls were found; and the pearl industry in these islands has

survived to this day. In a little while the ancient city of Panama became a Spanish treasure house. In 1532 Pizarro outfitted from this city and sailed southward to make his ruthless and historic conquest of Peru, ultimately bringing back the treasure confiscated from the Incas of that country; whence same, or, at least, a material portion thereof, was carried across the Isthmus to the Atlantic shore, and thence transshipped to Spain. For 150 years this city continued to be the chief treasure place for Spain in the New World, and during practically the whole of that period its precious store, largely secured from the primitive peoples of Central and South America, was carried on pack mules, and on the backs of slaves, first over arduous trails and later over the "royal" paved roads, *los caminos reales*, from Panama to Nombre de Dios and Porto Bello; and thence shipped in the much-famed Spanish galleons to the royal treasuries at Madrid. The remains of these old paved roadways are to be seen in the Isthmian jungles to-day.

In the course of time, however, it was inevitable that such a treasure city should tempt the cupidity of the bold and daring pirates that infested the West Indian seas. Thus it was that in 1671, three years after he had sacked Porto Bello, Henry Morgan, a bold Welshman who had developed into the most successful pirate of his day, landed on the Atlantic shore of the Isthmus, and with a band of daredevils and cut-throats crossed the Isthmus, after a journey of incredible hardship, and fell upon the city of Panama and sacked and destroyed it. Morgan and his fellow pirates were called "buccaneers," a term derived through the fact that it was first applied to Frenchmen who smoked and cured meats on "bucans"—racks or frames—in Hispaniola (Haiti), and who, upon being driven from their occupation by the Spanish authorities, became pirates. The destruction wrought by Morgan was complete. He took his treasure back to the Atlantic side, and then, it is recorded, he robbed most of his fellow buccaneers of their share of the spoil and sailed away. It would be interesting to follow Morgan's career and point out how he was knighted by the English Government because of his piracies against the Spanish; how he sacked other cities in Central America and the West Indian islands; how he was afterwards made lieutenant governor of Jamaica, and was, as some historians relate, imprisoned because of his peculations and bitterly complained of the "injustice" done him; or how, as other writers declare, as governor he suppressed piracy with an iron hand. But all this, however, is "another story."

#### EVOLUTION OF ISTHMIAN CANAL IDEA

Spanish and Portuguese navigators, immediately following the discovery of the New World, tried in vain to find the mythical passage that led to the Orient. Impelled by the desire to find it, Magellan explored the whole east coast of South America, passing from "lands of sun" to "lands of snow," and finally discovered the strait near the extreme southern point of South America, which has since borne his name, and in 1521 became the first navigator to cross the Pacific Ocean.

As already suggested, the idea of a water link across the Isthmus to connect the two oceans sprang up with the earliest Spanish occupation. One of Balboa's followers on the Isthmus, a Spanish engineer named Saavedra, is reputed to have first advocated the project somewhere between 1517 and 1523. Some historians claim that the originator of the idea was Cortez, the conqueror of Mexico, who sought to find the fabled passage to the Pacific Ocean, and, failing to find it, proposed the bold enterprise of cutting a canal across the Isthmus, and thereupon enlisted his cousin, Saavedra, in the matter. In any event, the latter did make a study of the subject and was the first engineer to do so. His investigations covered several years, and he was on the eve of sending his plans to Charles I, King of Spain (Charles V, of the Holy Roman Empire), but his (Saavedra's) death prevented in 1529. Surveys of the Isthmus were ordered with the object of a canal in view, but as the work was reported to be impracticable, it was not undertaken. The successor of Charles I, Philip II, in the year 1567, had an engineer to make a survey of what came to be known as the Nicaraguan route, with the result that an unfavorable report was given.

It is related that Philip, in his doubt touching the matter, called upon the Dominican friars to furnish a solution; that the latter, after seeking biblical information and inspiration on the subject, offered the answer in the passage "What God had joined together, let no man put asunder"; and that this convinced the King that it was sacrilege to undertake the construction of a waterway which would sever the two Americas. We do not vouch for the authenticity of this story, but it is an interesting thread which has been woven into the fabric of Panama Canal history, and we herewith submit it. Be the fact as it may, Philip abandoned the idea of the canal, and, so far as any substantial activity was concerned, it thenceforth slept for 200 years.

The idea was revitalized in the early part of the nineteenth century. Central and South American countries became restive under the Spanish yoke, and Spain sought to divert them from their dreams of independence. In the year 1814 she directed the construction of a canal across the Isthmus, but before any progress could be made to carry out this direction, the colonies of Central and South America began the movement which resulted in their independence. Thenceforth Spain ceased to be a factor touching a Central American canal, though in the actual



construction of it by the American Nation Spain made substantial contribution by furnishing thousands of laborers, the best, perhaps, of all the unskilled employees.

England became interested in the project toward the close of the eighteenth century, and had famous representatives in the persons of Baron von Humboldt and Lord Nelson, who made investigations and submitted reports on Central American canal routes. Also about the same time Germany's great poet, statesman, and seer, Goethe, made a prophecy, wonderful in its conception and verity. It was to the effect that the people of the United States in time would inhabit and control the North American Pacific coast, and would also, through the necessities of the situation, construct an isthmian canal to give expeditious connection between the eastern and western shores of North America.

The great South American liberator, Simon Bolivar, then President of the Republic of New Granada, which included the present domain of the Panamanian Republic, in 1825, granted Baron Thiery, a Frenchman, a franchise for the construction of a canal across the Panamanian Isthmus; but the French nobleman did not succeed in raising the requisite capital for the work, and accomplished nothing. Thereupon President Bolivar employed a British engineer, one I. A. Lloyd, to make a survey of the Isthmus for either a road or canal.

In the year 1835, the people of our own country having become interested in the canal project, there was passed in the Senate a resolution introduced by Henry Clay, agreeably to which Charles Biddle was commissioned by President Jackson to visit the Isthmus of Panama and to investigate and make report of the feasibility of different routes for a permanent means of isthmian communication between the two oceans.

Biddle went to the Isthmus and after investigation decided that the Panama route was the most available. Thereupon he went to Bogota and secured a franchise to build a railroad across the Isthmus. But the time was not yet ripe for carrying out such a work, and the undertaking was abandoned. In the year 1838 a French company was formed and a concession was granted to it for the construction of a means of communication across the Isthmus, either by railroad, highway, or canal. An engineer, Napoleon Garella, made investigations and reported to the French Government, declaring that the only practical method of trans-Isthmian communication was a canal. Nothing, however, came of the venture.

Once again the people of our own country became interested in the subject. The acquisition of the vast western domain resulting from the war with Mexico, and the discovery of gold in California in 1849, intensified that interest. Thousands of our people from the Mississippi Valley and the East, fired with lure of the precious metal, found the most feasible route to the California gold fields to run southward by sea to the Atlantic shores of the Isthmus; thence across Panama to the Pacific; thence northwestward by sea to the Golden Gate. This was a long and arduous journey, but it was greatly shorter than that by Cape Horn or the Magellan Strait; and, in the absence of trans-continental railroads, by a large number it was preferred to those historic routes, which so many others pursued, across the great plains and deserts of our western country, where fever, famine, and murderous Indians took their heavy toll from those pioneers who thus sought to reach the New Eldorado.

Three American citizens—Messrs. Chauncey, Stephens, and Aspinwall—in the year 1848 secured from the Republic of New Granada a concession or franchise for the construction of a trans-Isthmian railroad, and in 1849 secured, under the laws of the State of New York, a special charter incorporating the Panama Railroad Co.; and in the same year this company began, and in 1855 completed, from the present city of Colon at the Atlantic entrance of the canal to the present city of Panama at the Pacific entrance, a railroad. This construction was epoch making. Because of the great difficulties encountered, the pestilential country and the lack of sanitation, the inadequacy of engineering equipment and the difficulty of securing labor, the construction of the Panama Railroad was perhaps as great an achievement as the construction of the Panama Canal under conditions of effective sanitation and adequate engineering equipment. In addition, a comprehensive plan of organization for the building and operation of the Panama Railroad, embracing as it did quarters for employees, commissaries, schools, churches, hospitals, and medical attention, furnished the model for the comprehensive and elaborated plan of the final canal organization of the Americans.

The construction and operation of the Panama Railroad having provided a means of commercial communication between the Atlantic and Pacific Oceans, had the effect of holding in abeyance, from the standpoint of governmental consideration, the question of an interoceanic canal. However, in the next few years many Central American canal routes were surveyed and exploited through individual promotions; perhaps through a score of them. The two chief routes which received serious consideration, however, were those of Nicaragua and Panama.

In 1869, because of the agitation on the canal subject and the failure of the Panama Railroad adequately to meet the demands of interoceanic communication, President Grant appointed an Interoceanic Canal Commission, with the result that a treaty was, in 1870, negotiated between the United States and the Republic of Colombia for the construction of a canal, based on the condition that the work would

be entered upon if a satisfactory right of way could be found. Because the franchise of the Panama Railroad Co. covered the territory in respect to construction of a canal in its vicinity, investigation was made of a number of other probable routes, with the result that recommendation was made in 1876 for the construction of an interoceanic canal over what has been termed the "Nicaragua route"; that is to say, through Nicaragua, one of the Central American countries lying northwestward of Panama. However, before the United States took any definite step toward construction, the French people became interested in the project, and Napoleon B. Wyse, a young French officer, in 1878, secured a franchise from the Colombian Government relative to the construction of a canal.

#### THE FRENCH ATTEMPT

But we must hasten. In 1879 there was convened in Paris, under the direction of Ferdinand de Lesseps, the builder of the Suez Canal, an international congress of survey for an interoceanic canal to consider the question of the best location and plan of such connecting waterway. The congress decided in favor of the Panama route, and a so-called "sea-level" canal, extending from Limon Bay on the Atlantic side to Panama Bay on the Pacific—the route of the present canal. The estimated cost was \$240,000,000. A French company was organized, money was raised through private sources, and the work of construction begun under a concession from the Republic of Colombia. Years of effort at construction followed, but failure at last crowned that effort in 1904. Yellow fever, bubonic plague, malaria, and other malignant diseases took their fearful toll of those employed in the work, and other insurmountable difficulties presented themselves in the physical conditions encountered, in the waste and graft involved, and in the lack of adequate machinery.

#### ENTRY OF THE UNITED STATES

Then, as already indicated, the United States came into the picture; Congress passed the necessary legislation, there were purchased the French interests, and our Government entered upon the work of construction in 1904, and completed it in 1914, at a total cost of about \$375,000,000.

A commission appointed under authority of the Congress of the United States in 1899 made a study of the subject, and submitted a final report in 1902 in favor of the Panama route. The lock plan of construction was adopted, and the canal was accordingly built. The Chagres River was dammed at Gatun, 7 miles from deep water in the Atlantic and there was thus formed Gatun Lake, about 85 feet above sea level, and covering about 165 square miles of territory in the Canal Zone and in the Republic of Panama. Six great locks were constructed at Gatun on the Atlantic side; that is to say, three twin flights, each with a lift of 28½ feet, and each lock chamber 1,000 feet long, 110 feet wide, and 80 feet deep; and a like number of locks in like form and with like lifts were built on the Pacific side; and, in addition, the continental divide was reduced to the 85-foot lake level through Culebra Cut. It is to be noted that the tidal variation at the Atlantic entrance of the canal is about 26 inches; whereas the tidal variation at the Pacific entrance is more than 21 feet.

The Province of Panama withdrew from the Republic of Colombia in 1903, and thereupon was negotiated the necessary treaty between the United States and the Republic of Panama for the cession of the Canal Zone strip, 10 miles wide and extending from the Atlantic to the Pacific Ocean, nearly 50 miles; and for the construction, maintenance, sanitation operation, and protection of the canal. Congress in 1902 created the Isthmian Canal Commission consisting of seven members, which undertook the work of construction, and finally carried it to successful completion.

This commission was made of 4 United States Army Engineers, 1 United States naval engineer, 1 officer of the United States Army Medical Corps, and 1 civilian. In this connection it is interesting to note that for most of the period of the construction of the canal, four of the seven commissioners were from the South. Thus from April 7, 1907, to October, 1909, these four were Colonels Gorgas and Sibert, former Senator Jo C. S. Blackburn, of Kentucky—serving as a member under the popular designation of "Governor" of the Canal Zone—whom I had the honor to succeed in the spring of 1910, and Col. David D. Gaillard, of South Carolina. Moreover, there were engaged in the work as officials and employees a very large number of men and women from the South, in the various skilled capacities required.

Colonel Gaillard deserves more than a passing mention. His work, as engineer in charge of the excavation of the Culebra Cut section of the canal was of outstanding importance. He literally sacrificed his life in that work and died in December, 1913, a veritable "Martyr of the Ditch"; and to commemorate his brilliant Isthmian achievements the name "Culebra Cut," by Executive order of President Wilson, was changed to "Gaillard Cut."

The South therefore made a most notable contribution to the work of this great enterprise.

#### THREE DEPARTMENTS

There were established and maintained on the Canal Zone three great departments—engineering, sanitary, and civil administration. The work



of the sanitary department included all matters of health and sanitation; that of engineering comprehended, of course, all the engineering plans and construction; while that of civil administration had grouped within it all the civil activities, such as schools, prisons, road construction, customs, revenues, the courts, fire and police divisions, postal activities, and the like. During the construction days there were as many as 75,000 people on the zone—about 10,000 white Americans—men, women, and children; and the remainder made up of every race and tongue, a veritable Babel. Hence, every civil activity had to be maintained in the Canal Zone.

The canal was divided into three great divisions of engineering—the Atlantic, under Colonel Sibert; the central, under Colonel Gaillard; and the Pacific, under Sidney B. Williamson, a civilian engineer.

General supervisory powers were conferred on the chairman and chief engineer of the commission, a position which was held first by John F. Stevens, a civilian, and later by Col. (afterwards Gen.) George W. Goethals.

The sanitary work of the canal was placed under the supervision of General Gorgas—then Colonel Gorgas—and in 1907 he was made a member of the Isthmian Canal Commission. Colonel Gorgas had cleaned up Habana and stamped out yellow fever there after it was definitely determined by careful demonstration that the stegomyia mosquito transmitted the disease, and his splendid work in Cuba was repeated upon the Isthmus. This place of deadly pestilence, of yellow fever and wholesale malaria, has thus become one of the most wholesome spots on the earth in which to live. Scientific investigation had also determined that the common black or anopheles mosquito transmits malaria in the same way that the stegomyia transmits yellow fever. Hence, in Panama, as in Cuba, Colonel Gorgas drained the marshes and pools, cut the grass, screened the houses, and did the thousand and one other necessary things to destroy these two dangerous types of insect and to minimize their deadly influence. In addition, he maintained a most rigid quarantine. The same results followed his work on the Isthmus as followed his work in Cuba. No adequate praise can be bestowed upon Colonel Gorgas and his associates for the miracles of sanitation they wrought in Panama; and the lessons to be derived from their work will revolutionize all the tropical countries of the globe.

It has been said in the past that the Tropics were not made for the white man. The complete answer to, and refutation of, this statement is Panama. The excessive populations of the temperate regions in the years to come will flow to the Tropics, and will find there wholesome and enduring habitation; and they will there aid in converting the wilderness and jungle into smiling fields and gardens, banded by systems of road and rail, and studded with cities. In my judgment, the lessons in sanitation and disease prevention taught through the construction and maintenance of the Panama Canal will prove of far greater value to the world at large than will the operation of the canal itself. If you will pardon me for the personal reference, permit me to suggest that during my congressional service one of the most gratifying things I have been able to accomplish was the securing of the enactment of a measure providing for the establishment, maintenance, and operation of the Gorgas Memorial Laboratory in the city of Panama. This institution, bearing the name of General Gorgas, commemorates his great work as a sanitarian and puts into practical effect one of his hopes and dreams. It is now in operation, under competent directorship; it is supported by appropriations of our own and Latin American Governments, and is devoted to research and study touching the causes and prevention of tropical disease. Located at the most important point in the world for such study, and operated and maintained as it is, it bids fair in a few years to be the greatest institution of its kind in the world.

#### EMPLOYEES ON THE CANAL WORK

During the height of the construction period there were between 35,000 and 45,000 employees on the pay roll of the canal and on the Panama Railroad. The railroad was an indispensable agency in the construction of the canal. Of the totals thus employed, about 5,000 were gold employees; that is to say, white Americans, officials, and skilled laborers, and paid in gold and United States currency; and all of the others were unskilled, or semiskilled, workmen known as silver employees, and they were paid in silver money. At no other time and at no other place in the earth's history had skilled labor ever received so high a wage or so many benefits as during the canal-construction period in Panama. A chief reason for this was the fact that in the early days of the American régime the conditions on the Isthmus were so insanitary and uninviting that unusual inducements had to be offered to attract skilled labor; and wage rates and benefits having been once established they were not changed after Isthmus conditions improved.

#### COMPLETION OF CONSTRUCTION

The Isthmian Canal Commission served until April 1, 1914, when, agreeably to the Panama Canal act of August 24, 1912, it was abolished on the ground that the canal had progressed so far to completion as to dispense with the necessity of the further services of the commission.

On August 3, 1914, the Panama Railroad steamship *Cristobal* achieved the distinction of being the first ship to pass through the canal

from ocean to ocean, this being a test trip to try out the canal. A few days later, on August 15, the Panama Railroad steamship *Ancon* made the first formal passage through the canal, making the voyage from the Atlantic Ocean to the Pacific and return. Since then the canal has been opened to general traffic, except at such times as it has had to be temporarily closed on account of earth slides in the Culebra Cut section. In the cut the channel has a minimum bottom width of 300 feet and a depth of 45 feet. The cut is about 9 miles long. Through the lake, a distance of about 24 miles, the channel is a thousand feet wide, with a minimum depth of 45 feet. Through the lake vessels may go at ocean speed. The distance through the canal from deep water to deep water in the two oceans is a little less than 50 miles.

#### TOLLS

Under enactments by Congress reasonable tolls for the transiting of ships through the canal have been fixed and are collected. These tolls are collected from merchant ships and the war ships of other nations. War vessels of the United States are exempted from the payment of tolls. The receipts from the canal substantially exceed the operating expenses, and in addition are yielding what may be considered as a fair return on the capital cost of construction.

#### PROCESS OF NAVIGATING THE CANAL

Anyone familiar with the method of passing a steamboat through the locks of our rivers, will readily understand how ships are moved through the locks of the Panama Canal and climb or descend from the 85-foot level of Gatun Lake. It requires about seven hours for a ship to pass from sea to sea.

#### BENEFITS DERIVED FROM THE CANAL

The benefits of the canal to the United States, as well as to the world at large, speaking from a commercial standpoint, are beyond calculation. It saves 8,000 miles of distance between our east and west coasts. It has already brought about vastly increased trade relations with Latin America and the Orient, and, in addition, there has been an enormous exchange of tonnage between the east and west coasts of the United States passing through the canal. At this time we are using less than one-half of the capacity of the canal in the transiting of ships through it. In 1915 the total tonnage passing through the canal was 4,888,000. In 1929 the total tonnage was 30,663,000.

In the opinion of Col. Harry Burgess, present Governor of the Panama Canal, himself a native of the South, a Mississippian, the present capacity of the canal is about 65,000,000 tons annually.

The greatest items of this tonnage are made up of cargoes passing between the east and west coasts of the United States through the canal. Thus in 1929, the total tonnage passing through the canal from the Atlantic and Gulf ports of the United States to west coast ports of the United States was 3,374,887; and the total tonnage passing from the west coast ports of the United States through the canal to Atlantic and Gulf ports of the United States was 7,465,076. The greater portion of the west coast to east coast tonnage was made up of crude oil shipped from the southern California fields to our eastern seaboard.

Next comes Australasia, to which region for 1929 there were passed through the canal from the United States Atlantic and Gulf ports 614,766 tons; and from which region there came to the United States Atlantic and Gulf ports, through the canal, 195,209 tons. In the same year there passed through the canal, from the United States Atlantic and Gulf ports to Asiatic ports, the total of 2,014,160 tons; and from Asiatic ports there came through the canal, to United States Atlantic and Gulf ports, 727,334 tons. Also, in 1929, there passed through the canal, from the United States Atlantic and Gulf ports, to ports on the west coast of South America a total of 427,489 tons; and from those points there came to the United States Atlantic and Gulf ports, through the canal, a total of 3,260,141 tons. In the same year there passed through the canal, from our Atlantic and Gulf ports to Hawaii and the west coast ports of Central America and Canada, a total of 178,110 tons; and from those ports there passed through the canal to our Atlantic and Gulf ports a total of 433,058 tons.

Our trade with the Latin American countries on the west coast of Central and South America is bound to increase in an enormous way in the years to come. In fact, all of Latin America from the northern border of Mexico to the southernmost tip of South America is a splendidly inviting commercial field. Throughout its great domain lie vast and practically untouched areas, highly mineralized; great and, perhaps, unparalleled forests of the finest timbers; and unexcelled stock-raising and agricultural sections. Not only this, but in this stretch of earth there is to be found every known climate; and practically all climates are found in the same section, because of the lofty mountain elevations in the Torrid Zone.

To the southward, therefore, there lies a world to be conquered commercially, and, in a great measure, socially. The marvelous work of sanitation achieved on the Isthmus of Panama having demonstrated, beyond peradventure, that the tropical lands can be converted into wholesome regions wherein the Caucasian can live and thrive, the question of what will become of the overflow populations of the Temperate Zones is solved for a period running far into the future. How infinitely better it would have been if the overcrowded and land-hungry



peoples of Europe had sought outlet and freedom in the central regions of Africa and Latin America, than to have waged against each other a desperate and horrible warfare, unprecedented in the world's history.

For a number of reasons all of these Latin-American countries constitute legitimate markets of the United States and ultimate "safety zones" for our excess population.

Republican forms of government prevail throughout Latin America except as to British Honduras and the Guianas; and, while some of them are based upon conditions of unrest and insecurity, the people of these countries are thoroughly imbued with the idea of democracy and will never tolerate any thought of monarchy; and, for the most part, the governments of Latin America are stable. Moreover, the tendency is toward a greater measure of stability; and when the youthful and vigorous of our own country shall emigrate in numbers to the tropical countries of Latin America, carrying with them American ideas of government and sanitation, there will result there an increased measure of stability. If man can live and achieve in the frigid regions of Alaska and Siberia, how much better can he live and achieve in the sun lands of the Tropics, with the skill of modern sanitary science to obviate the terrors of malaria, yellow fever, and plague. The fact that Americans and others from the Temperate Zones have wrought so great a work in Panama, through a course of years, and have retained so fair a condition of health, is itself a lesson of incalculable value.

Those who have never lived or traveled in Latin America can have no adequate conception of the boundlessness of its domain, nor of the variety and extent of its resources. Let us look southward a moment. In tropical America the banana and the orange, the grapefruit and the lemon—in fact, all the citrus fruits—coffee, hemp, cotton, cocoa, sugar, rice, and all other fruits, vegetables, and soil products known to the Tropics, can be grown in abundance and at reasonable cost. The achievement of the United Fruit Co. in placing the banana on the food map of North America is the proof of what may be done in those lands in the line of tropical fruit raising. The Panama Canal will enable us to exchange to mutual advantage for these products and for the minerals and timber of Latin America our farm products, our agricultural implements, our steel rails and railroad equipment, our boots and shoes, our clothing and other manufactured articles.

And so it is that with all these golden potentialities lying before us in Latin America the Panama Canal constitutes the ring and lamp, which, if we are wise, shall enable us to play the rôle of Aladdin, not only to our own benefit, but to the undoubted benefit of these, our neighbor countries, also. Every moral, political, and commercial consideration should bind us closer to our sister Republics to the southward. Pan Americanism is a great policy, and the canal adds infinitely to its potency. Our Government fully recognizes the great value of closer contacts with Central and South America, and Congress is now appropriating millions of dollars annually for adequate air mail service to these countries to the southward. We now have a 7-day air mail service between New York, via the Canal Zone, down the west coast of South America, to Santiago, Chile, and across the Andes Mountains to Buenos Aires and Montevideo, on the Atlantic seaboard. This line will soon provide two trips a week each way. Also we have an air mail service from Miami, Fla., via Cuba, Porto Rico, and the outer West Indian Islands to Paramaribo, in Dutch Guiana, on the Atlantic coast; and Congress recently made the necessary appropriation to extend this service down via Rio de Janeiro to Sao Paulo in Brazil.

Another benefit, world-embracing in its character, that should flow from the canal is the fact that it will make for the world's peace. It will vastly increase commercial and social communication between the countries of the earth, and this will make for better understandings and international friendships. Thus will be exemplified the striking motto inscribed on the seal of the Canal Zone government, "The land divided, the world united."

The canal and its control practically doubles the efficiency of our fleet as against any hostile nation. This fact is of the highest importance, and of itself makes for our national peace and security.

#### WHAT THE PANAMA CANAL MEANS TO THE SOUTH

The Panama Canal means everything to our Southland, because the ports of the Southland are hundreds of miles closer to the canal than are those of the northern sections of our country. In these days of speed and competition this is a vital advantage. The southern ports on the Atlantic seaboard and those on the Gulf of Mexico are handling a tremendous amount of shipping tonnage; and this tonnage should rapidly grow. Increased contacts with South and Central American countries should be made, and our southern people should utilize the great advantage which is theirs by reason of their comparative nearness to the canal. The State of Alabama has been very wise and provident in constructing the splendid dock and harbor system at Mobile; and this is an investment that should prove highly beneficial to all the Alabama section. Alabama's great mineral, forest, and agricultural wealth places the State in a position of great advantage in the use of the canal.

The total tonnage from foreign ports and from the west coast of the United States to our Gulf ports now exceeds 1,000,000 tons annually, while our Gulf coast shipments to foreign ports and the west coast of the United States has reached something like 2,000,000 tons a year.

#### FUTURE INTEROCEANIC CANAL NEEDS

There has been considerable discussion of late concerning the construction of another interoceanic canal. Recently Congress made an appropriation authorizing a study and survey of further canal facilities at Panama and other points, including Nicaragua. A commission has been appointed under this authorization and is now making a survey of the long-suggested Nicaraguan route. The length of that route is about 183 miles, a portion of which lies in Lake Nicaragua. Because of the length of such a canal and the many physical difficulties involved, its cost would be very high—possibly a billion dollars—with inclusion of the necessary fortifications to protect it. I am one of those who do not believe that the time is yet ripe for the construction of that canal, at least from the standpoint of economic requirements; and I know of no military needs which would justify its present construction. Congress has recently authorized the building of a new dam on the upper Chagres River in Panama at a cost of \$12,000,000. This will permit the impounding of the waters of the upper Chagres in sufficient quantities to form there a reserve water supply which may be used for hydroelectric purposes, and then, after it spills into Lake Gatun, for lockage purposes of the Panama Canal. Because of this additional water supply, another system or series of locks may be constructed paralleling the present system of Panama Canal locks, and this added series will increase the capacity of the canal by something like 50 per cent of its present capacity.

In the opinion of those who have been associated with the operation of the Panama Canal, and who have made a thorough study of the questions involved, the canal, with its capacity thus increased, should be able to take care of interoceanic traffic needs for a period of 75 years, or more, to come. The estimated cost of such additional series of locks is not more than \$100,000,000. Speaking for myself, and if I may use the expression, I believe that one "live" canal is better than two "dead" ones. The Panama Canal is a financial success, as well as a naval and commercial success; but if another interoceanic waterway should be constructed in advance of the reasonable need therefore, the result would be that neither canal would be financially successful, and both would prove financial losses for many years to follow, because of their dual operation and maintenance. It is wise to make the indicated surveys include that of the Nicaraguan route. Thereby all necessary facts will be secured and estimates of costs arrived at, to the end that when the time approaches when another canal should actually be constructed, our Nation will be in position to know the probable cost of that construction and the engineering facts involved. If there should be premature construction of a new canal this would mean the American taxpayers would have to pay interest on the bonds necessary for the construction, and perhaps the bonds themselves, as the income to be derived would not be adequate. It would seem, therefore, to be wiser first to construct a new set of locks at Panama at the lesser cost; and then, later, when the actual or reasonable need for another canal arrives, to undertake its construction. It would seem to be the part of wisdom now to utilize the funds which would be required for the construction of a new canal for the further improvement of the rivers and harbors in the United States.

#### DREAM OF COLUMBUS HAS BEEN REALIZED

The dream of Columbus of more than 400 years ago as to a western passage to the Indies, at last, through the building of the Panama Canal, has come true.

The movement to-day of the great ships of the world from deep unto deep, through the Isthmian outposts of the Andes Mountains, nearly 100 feet above the level of the sea, makes that dream a splendid reality. By the marvelous genius of the American people the fabled passage has at last been found.

Another thought: The Isthmus of Panama, which for years was known throughout the earth as its deadliest spot, has become one of its most wholesome tracts; and this narrow stretch of land lying between the two great oceans within the equatorial shadow, and long viewed by the world with disfavor or fear, in the providence of the ages has come to be, perhaps, the most important point on the globe. This slight ligament, which through the centuries gone has physically bound together North and South America, in the centuries to come, by the fact of its severance, shall bind and hold together the two continents in the closest bonds of commercial, political, and social friendship, and shall quicken and increase our contacts with all the lands of earth. In all of which there is seen once again the glorious exemplification of the scriptural truth, "The stone which the builders rejected is become the head of the corner."

Truly, "God moves in a mysterious way His wonders to perform."

#### INCREASED PRICE OF GASOLINE

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my own remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. PATMAN. Mr. Speaker, to-day the Oil Trust is increasing the price of gasoline 1 cent per gallon in Pennsylvania and Delaware. During the year 1929 the people of Pennsylvania purchased 1,047,914,175 gallons of gasoline. If the same amount



is purchased this year they will be compelled to pay \$10,479,141.75 additional by reason of the increase of 1 cent per gallon. Last year Delaware users of gasoline purchased 31,198,248 gallons; the additional 1 cent per gallon increase will cost the people of that State \$311,982.48 this year.

If the Attorney General of the United States has not acquiesced in the Gasoline Trust that was organized in St. Louis last fall by the Federal Trade Commission, this increase would not have taken place. A courageous Attorney General would have destroyed this trust before now. No bolder violation of the antitrust laws of the Nation has ever been perpetrated than was perpetrated by the big oil companies at the St. Louis conference. The representatives of oil companies assembled there under the leadership of the Federal Trade Commission after giving the commission notice that they wanted to set the price of gasoline. At the meeting resolutions were passed, which became agreements, in violation of the laws of the United States. Although the Attorney General has positive evidence of the formation of this illegal conspiracy against the consumers of gasoline, he has failed and refused to take legal action.

#### PRICE INCREASE NOT JUSTIFIED

There is no justification for this price increase. The price of crude oil has been going down recently. There is no shortage of gasoline, but on the other hand there is a surplus. The price is not based upon supply and demand, but is based upon illegal agreements entered into by oil companies. The large oil companies are making enormous profits.

#### INCREASE WILL SOON BE EFFECTIVE ALL OVER THE UNITED STATES

The price of gasoline was increased 1 cent per gallon in New York City May 1, 1930. On April 30, 1930, in a speech before the House, I predicted this increase and predicted at that time that the increase would soon be effective all over the United States. To-day it is effective in Pennsylvania and Delaware. I now predict that it will be effective in New Jersey in less than 10 days.

The 1-cent increase all over the United States will mean that gasoline users of the Nation will have to pay \$134,001,801.62 more for their gasoline—there were 13,400,180,162 gallons of gasoline consumed in the Nation last year. The 1-cent increase is equal to a direct tax assessment against every automobile owner of from \$5 to \$10 a year. Gasoline will probably sell for 30 cents a gallon within 24 months. The trust is receiving the sanction of the Department of Justice, and we may as well expect other increases to follow.

#### FOREIGNERS WILL SOON OWN OIL SUPPLY OF NATION

Sir Henry Deterding, head of the Royal Dutch Shell Co., announced a few weeks ago there was an end to the oil war. It is generally known that the oil war ended when the Federal Trade Commission organized the Oil Trust last fall. Wall Street bankers are letting the Royal Dutch Shell interest, a foreign concern that is reputed to be one-half owned by the British Government, have all the money they want, and that company is rapidly taking charge of the oil industry in America.

#### RESOLUTION TO INVESTIGATE DEPARTMENT OF JUSTICE

If the Rules Committee will favorably report my resolution to investigate the Department of Justice, and the House authorizes the investigation, I can assure the Members of the House that evidence will be introduced before the committee to show that the Department of Justice is encouraging monopolies and trusts and is assisting in the destruction of independent business.

#### PAYMENT OF EXPENSES OF FOREIGN DELEGATES TO THE ELEVENTH ANNUAL CONVENTION OF THE FEDERATION INTERALLIEE DES ANCIENS COMBATTANTS

Mr. FISH. Mr. Speaker, there are several minor bills which I would like to take up and I do not believe there will be any objection to them. By direction of the Committee on Foreign Affairs I call up the bill (H. R. 12348) to provide for the partial payment of the expenses of foreign delegates to the Eleventh Annual Convention of the Federation Interalliee Des Anciens Combattants, to be held in the District of Columbia in September, 1930.

The Clerk read the title of the bill.

Mr. FISH. Mr. Speaker, I ask unanimous consent that the bill may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That the sum of \$25,000 is authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, as a contribution by the United States for the expenses and entertain-

ment, while in the United States, of delegates from foreign nations participating in the Eleventh Annual Convention of the Federation Interalliee Des Anciens Combattants, to be held in the District of Columbia in September, 1930. Such sum shall be expended by the national treasurer of the American Legion under such rules and regulations as the Secretary of State may prescribe. The United States shall not be liable, directly or indirectly, for any expenses, obligation, or indebtedness incident to such convention.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### INTERNATIONAL TECHNICAL COMMITTEE OF AERIAL LEGAL EXPERTS

Mr. FISH. Mr. Speaker, by direction of the Committee on Foreign Affairs, I call up the joint resolution (H. J. Res. 299) to provide an annual appropriation to meet the quota of the United States toward the expenses of the International Technical Committee of Aerial Legal Experts.

The Clerk read the title of the bill.

Mr. FISH. Mr. Speaker, I ask unanimous consent that the joint resolution may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the joint resolution, as follows:

*Resolved, etc.,* That a sum not to exceed \$250 is hereby authorized to be appropriated annually to meet the share of the United States of the expenses of the International Technical Committee of Aerial Legal Experts, beginning with the year 1930.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### NINTH INTERNATIONAL DAIRY CONGRESS

Mr. FISH. Mr. Speaker, by direction of the Committee on Foreign Affairs, I call up the joint resolution (H. J. Res. 333) to authorize an appropriation of \$10,000 for the expenses of participation by the United States in the Ninth International Dairy Congress, Copenhagen, Denmark, 1931.

The Clerk read the title of the joint resolution.

Mr. FISH. Mr. Speaker, I ask unanimous consent that the joint resolution may be considered in the House as in Committee of the Whole.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the joint resolution, as follows:

*Resolved, etc.,* That for the purpose of defraying the expenses of participation of the Government of the United States by means of delegates in the Ninth International Dairy Congress, to be held in Copenhagen, Denmark, in July, 1931, an appropriation in the sum of \$10,000, or so much thereof as may be necessary, is hereby authorized for travel expenses, subsistence or per diem in lieu thereof (notwithstanding the provisions of any other act), printing and binding, compensation of employees, rent, official cards, entertainment, and such other expenses as the President shall deem proper.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

#### AMENDMENT OF THE BUDGET AND ACCOUNTING ACT

Mr. FISH. Mr. Speaker, by direction of the Committee on Foreign Affairs I call up the bill (H. R. 11580) to amend section 1709 of the Revised Statutes, as amended by the act of March 3, 1911 (36 Stat. 1083), and section 304 of the Budget and Accounting Act, 1921 (42 Stat. 24).

The SPEAKER. The gentleman from New York calls up the bill which the Clerk will report.

The Clerk read the bill, as follows:

*Be it enacted, etc.,* That section 1709 of the Revised Statutes, as amended by the act of March 3, 1911 (36 Stat. 1083), and section 304 of the Budget and Accounting Act, 1921 (42 Stat. 24), is hereby further amended by substituting for fourth, fifth, and sixth paragraphs new paragraphs fourth, fifth, sixth, and seventh, reading as follows:

"Fourth. To sell at auction, after reasonable public notice, such part of the estate as shall be of a perishable nature, and such further part, if any, as shall be necessary for the payment of his debts incurred in such country.

"Fifth. To transmit the balance of the estate to the General Accounting Office to be holden in trust for the legal claimant; except that if at any time before such transmission the legal representative of the deceased shall appear and demand his effects which are in the hands of such consul or vice consul, and said consul or vice consul shall deliver



them up, being paid their fees, costs, and expenses, and shall cease their proceedings.

"Sixth. The Comptroller General of the United States, or such member of the General Accounting Office as he may duly empower to act as his representative for the purpose, shall act as conservator of such part of these estates as may be received by the General Accounting Office, or are in its possession, and, for their protection, he may order such effects to be sold as may consist of jewelry or other articles which have heretofore or may hereafter be so received, and pay the expenses of such sale out of the proceeds, provided application for these effects shall not have been made by the legal claimant within six years after their receipt. The Comptroller General is authorized, in the name of the deceased, to receive any balances due to such estates, to draw therefor on banks, safe deposits, trust or loan companies, or other like institutions, to indorse all checks, bills of exchange, promissory notes, and other evidences of indebtedness due to such estates, and take such other steps as necessary for their collection, and to do and perform all and any other acts necessary for the conservation of such estates. The net proceeds of such sales, together with such other moneys as may be collected by him, shall be deposited into the Treasury to a fund in trust for the legal claimant and reported to the Secretary of State.

"Seventh. If no claim to the effects the proceeds of which have been so deposited shall have been received from a legal claimant of the deceased within six years from the date of the receipt of the effects by the General Accounting Office, the funds so deposited, with any remaining unsold effects, less transmittal charges, shall be transmitted by that office to the proper officers of the State or Territory of the domicile of the deceased citizen, if known, or, if not, be covered into the general fund of the Treasury as miscellaneous receipts on account of proceeds of deceased citizens, and any such remaining unsold effects shall be disposed of by the General Accounting Office in such manner as in the judgment of the Comptroller General is deemed appropriate, or they may be destroyed if considered no longer possessed of any value: *Provided*, That when the estate shall be valued in excess of \$500, and no claim therefor has been presented to the General Accounting Office by a legal claimant within the period specified in this paragraph or the legal claimant is unknown, before disposition of the estate as provided herein, notice shall be given by publishing once a week for four consecutive weeks in a newspaper published in the county of the last known domicile of the deceased, the expense thereof to be deducted from the proceeds of such estate, and any lawful claim received as the result of such advertisement shall be adjusted and settled as provided for herein."

With the following committee amendments:

Page 2, line 10, after the word "consul," strike out the word "and."  
Page 3, line 18, after the word "not," insert the words "such funds shall."

Mr. CHINDBLOM. Mr. Speaker, as I understand it, this legislation relates entirely to estates of American citizens dying abroad, which estates may come into the hands of our representatives.

Mr. FISH. The gentleman is correct.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

On motion of Mr. FISH, a motion to reconsider was laid on the table.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and under the rule referred as follows:

S. 4577. An act to extend the time for completing the construction of a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg.; to the Committee on Interstate and Foreign Commerce.

#### ENROLLED BILLS SIGNED

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H. R. 185. An act to amend section 180, title 28, United States Code, as amended;

H. R. 3975. An act to amend the act of March 4, 1925, chapter 521, and for other purposes; and

H. R. 11430. An act granting the consent of Congress to the State of New York to construct, maintain, and operate a free highway bridge across the Hudson River at or near Catskill, Greene County, N. Y.

The SPEAKER announced his signature to an enrolled joint resolution of the Senate of the following title:

S. J. Res. 77. Joint resolution providing for the closing of Center Market in the city of Washington.

#### BILLS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL of Pennsylvania, from the Committee on Enrolled Bills, reported that that committee did on this day present to the President, for his approval, bills of the House of the following titles:

H. R. 5258. An act to repeal section 144, Title II, of the act of March 3, 1899, chapter 429 (sec. 2253 of the Compiled Laws of Alaska);

H. R. 5261. An act to authorize the destruction of duplicate accounts and other papers filed in the offices of clerks of the United States district courts; and

H. R. 9804. An act to amend the World War adjusted compensation act, as amended, by extending the time within which applications for benefits thereunder may be filed, and for other purposes.

#### ADJOURNMENT

Mr. LAGUARDIA. Mr. Speaker, I move that the House do now adjourn.

The question was taken; and on a division (demanded by Mr. LAGUARDIA) there were—ayes 38, nays 37.

So the motion to adjourn was agreed to; accordingly (at 3 o'clock and 57 minutes p. m.) the House, under its previous order, adjourned until Monday, June 2, 1930, at 12 o'clock meridian.

#### COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Monday, June 2, 1930, as reported to the floor leader by clerks of the several committees:

##### COMMITTEE ON IMMIGRATION AND NATURALIZATION

(10.30 a. m.)

For the extension of the immigration border patrol.

##### COMMITTEE ON MILITARY AFFAIRS

(10 a. m.)

To authorize appropriations for construction at military posts (H. R. 1665 and 2754).

##### COMMITTEE ON NAVAL AFFAIRS

(10.30 a. m.)

Private bills.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

511. A letter from the Secretary of the Treasury, transmitting draft of a bill to amend the act of Congress approved May 29, 1928, entitled "An act to adjust the compensation of certain employees in the Customs Service"; to the Committee on Ways and Means.

512. A letter from the Secretary of the Navy, transmitting draft of a bill for the relief of Capt. Chester G. Mayo, Supply Corps, United States Navy; to the Committee on Claims.

513. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the Navy Department for the fiscal year ending June 30, 1930, in the amount of \$6,560, to provide medals for the officers and men of the Byrd Antarctic expedition (H. Doc. No. 437); to the Committee on Appropriations, and ordered to be printed.

514. A communication from the President of the United States, transmitting a draft of a proposed provision pertaining to an existing appropriation for the Treasury Department (H. Doc. No. 438); to the Committee on Appropriations, and ordered to be printed.

515. A communication from the President of the United States, transmitting proposed provision for the transfer of certain amounts from appropriations for the fiscal year 1931, aggregating \$187,870, and the reappropriation thereof for the salaries and expenses of the Personnel Classification Board for the fiscal year 1931 (H. Doc. No. 439); to the Committee on Appropriations and ordered to be printed.

516. A communication from the President of the United States, transmitting draft of a proposed provision pertaining to an existing appropriation for the Treasury Department (H. Doc. No. 440); to the Committee on Appropriations and ordered to be printed.

517. A communication from the President of the United States, transmitting supplemental estimate of appropriations for the District of Columbia for the fiscal year 1930, amounting to \$46,472.75 (H. Doc. No. 441); to the Committee on Appropriations and ordered to be printed.



## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. GRAHAM: Committee on the Judiciary. S. 3068. A bill to amend section 355 of the Revised Statutes; with amendment (Rept. No. 1707). Referred to the House Calendar.

Mr. ENGLEBRIGHT: Committee on the Public Lands. H. R. 7254. A bill to amend an act entitled "An act making an appropriation for the survey of public lands lying within the limits of land grants, to provide for the forfeiture to the United States of unsurveyed land grants to railroads, and for other purposes," approved June 25, 1910; with amendment (Rept. No. 1708). Referred to the Committee of the Whole House on the state of the Union.

Mrs. KAHN: Committee on Military Affairs. H. R. 7496. A bill authorizing an appropriation for improvements at the Guilford Courthouse National Military Park; with amendment (Rept. No. 1709). Referred to the Committee of the Whole House on the state of the Union.

Mr. DYER: Committee on the Judiciary. H. R. 9590. A bill to provide for the appointment of one additional district judge for the eastern and western districts of Arkansas; with amendment (Rept. No. 1710). Referred to the Committee of the Whole House on the state of the Union.

Mr. PURNELL: Committee on Rules. H. Res. 232. A resolution providing for the consideration of House bills 12056, 10341, 9937, 9985, 6806, 9601, and 2903; without amendment (Rept. 1730). Referred to the House Calendar.

Mr. BEERS: Committee on Printing. S. Con. Res. 22. A concurrent resolution to print and bind additional copies of Senate Document No. 166, Seventieth Congress, entitled "Interstate Commerce Act, Annotated"; with amendment (Rept. 1731). Referred to the Committee of the Whole House on the state of the Union.

Mr. GRAHAM: Committee on the Judiciary. H. R. 9937. A bill to provide for summary prosecution of slight or casual violations of the national prohibition act; with amendment (Rept. No. 1732). Referred to the Committee of the Whole House on the state of the Union.

Mr. HOCH: Committee on Interstate and Foreign Commerce. H. R. 7119. A bill to authorize the establishment of a Coast Guard station on the coast of Florida at or in the vicinity of Lake Worth Inlet; with amendment (Rept. No. 1733). Referred to the Committee of the Whole House on the state of the Union.

Mr. CHINDBLOM: Committee on Ways and Means. H. J. Res. 353. A joint resolution providing for an investigation and report, by a committee to be appointed by the President, with reference to the representation at and participation in the Chicago World's Fair Centennial Celebration, known as the Century of Progress Exposition, on the part of the Government of the United States and its various departments and activities; without amendment (Rept. 1734). Referred to the House Calendar.

Mr. LEAVITT: Committee on Irrigation and Reclamation. H. R. 12288. A bill to amend the act entitled "An act to permit taxation of lands of homestead and desert-land entrymen under the reclamation act," approved April 21, 1928; with amendment (Rept. No. 1735). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 12233. A bill authorizing the Robertson & Janin Co., of Montreal, Canada, its successors and assigns, to construct, maintain, and operate a bridge across the Rainy River at Baudette, Minn.; with amendment (Rept. No. 1736). Referred to the House Calendar.

Mr. PARKS: Committee on Interstate and Foreign Commerce. H. R. 12522. A bill granting the consent of Congress to the Texarkana & Fort Smith Railway Co. to reconstruct, maintain, and operate a railroad bridge across Little River in the State of Arkansas at or near Morris Ferry; with amendment (Rept. 1737). Referred to the House Calendar.

Mr. MILLIGAN: Committee on Interstate and Foreign Commerce. S. 3873. An act to extend the times for commencing and completing the construction of a bridge across the Mississippi River at or near Carondelet, Mo.; without amendment (Rept. No. 1738). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. S. 4269. An act authorizing the Commonwealth of Kentucky, by and through the State Highway Commission of Kentucky, or the successors of said commission, to acquire, construct, maintain, and operate bridges within Kentucky and/or across boundary line streams of Kentucky; with amendment (Rept. No. 1739). Referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mrs. LANGLEY: Committee on Claims. H. R. 600. A bill for the relief of Charles Hellyer; with amendment (Rept. No. 1711). Referred to the Committee of the Whole House.

Mr. CHRISTGAU: Committee on Claims. H. R. 1179. A bill authorizing the Treasurer of the United States to pay to Hattie McKelvey \$1,786; without amendment (Rept. No. 1712). Referred to the Committee of the Whole House.

Mr. BUTLER: Committee on Claims. H. R. 2644. A bill for the relief of Louis Bender; with amendment (Rept. No. 1713). Referred to the Committee of the Whole House.

Mr. BUTLER: Committee on Claims. H. R. 3059. A bill for the relief of Beryl Elliott; with amendment (Rept. No. 1714). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. H. R. 3136. A bill for the relief of D. F. Phillips; without amendment (Rept. No. 1715). Referred to the Committee of the Whole House.

Mr. CHRISTGAU: Committee on Claims. H. R. 3653. A bill for the relief of Frank Martin; with amendment (Rept. No. 1716). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 3729. A bill for the relief of Arthur Richter; without amendment (Rept. No. 1717). Referred to the Committee of the Whole House.

Mrs. LANGLEY: Committee on Claims. H. R. 4102. A bill to extend the benefits of the employees' compensation act of September 7, 1916, to Howard Lewter; with amendment (Rept. No. 1718). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 5391. A bill for the relief of Irene Lungo; with amendment (Rept. No. 1719). Referred to the Committee of the Whole House.

Mr. ROWBOTTOM: Committee on Claims. H. R. 7161. A bill for the relief of Nelson E. Frissell; without amendment (Rept. No. 1720). Referred to the Committee of the Whole House.

Mr. BUTLER: Committee on Claims. H. R. 7195. A bill for the relief of May L. Marshall, administratrix of the estate of Jerry A. Litchfield; with amendment (Rept. No. 1721). Referred to the Committee of the Whole House.

Mr. SIMMS: Committee on Claims. H. R. 8310. A bill for the relief of Eula K. Lee; without amendment (Rept. No. 1722). Referred to the Committee of the Whole House.

Mr. KINZER: Committee on Claims. H. R. 9607. A bill for the relief of Helen Patricia Sullivan; with amendment (Rept. No. 1723). Referred to the Committee of the Whole House.

Mr. DOXEY: Committee on Claims. H. R. 10428. A bill for the relief of Edith Barber; with amendment (Rept. No. 1724). Referred to the Committee of the Whole House.

Mr. JOHNSTON of Missouri: Committee on Claims. H. R. 11185. A bill for the relief of Alex Bremer; without amendment (Rept. No. 1725). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 12076. A bill authorizing the Postmaster General to credit the account of postmaster A. E. White, at Payette, Idaho, with certain funds; without amendment (Rept. No. 1726). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 12374. A bill for the relief of William R. Cox; without amendment (Rept. No. 1727). Referred to the Committee of the Whole House.

Mr. IRWIN: Committee on Claims. H. R. 12498. A bill for the relief of Port Arthur Canal & Dock Co.; without amendment (Rept. No. 1728). Referred to the Committee of the Whole House.

Mr. JOHNSON of Nebraska: Committee on Claims. H. R. 3643. A bill for the relief of Alfred W. Mayfield; with amendment (Rept. No. 1740). Referred to the Committee of the Whole House.

Mr. CHRISTGAU: Committee on Claims. H. R. 7047. A bill for the relief of Elsie M. Sears; with amendment (Rept. No. 1741). Referred to the Committee of the Whole House.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GIBSON: A bill (H. R. 12693) to amend the service pay bill of June 10, 1922, relating to the validation of pay and allowance of certain officers; to the Committee on Military Affairs.

By Mr. JAMES (by request of the War Department): A bill (H. R. 12694) to authorize the Air Corps of the Army to



make tests of aircraft and aircraft equipment; to the Committee on Military Affairs.

By Mr. SMITH of Idaho: A bill (H. R. 12695) to authorize the granting of leaves of absence to civilian officers and employees of the executive departments and independent establishments of the Government, including their field forces, and of the municipal government of the District of Columbia; to the Committee on Expenditures in the Executive Departments.

By Mr. COLLINS: A bill (H. R. 12696) authorizing an appropriation for the purchase of the Vollbehr collection of incunabula; to the Committee on the Library.

By Mr. COLTON: A bill (H. R. 12697) to authorize an exchange of lands between the United States and the State of Utah; to the Committee on the Public Lands.

By Mr. CABLE: Resolution (H. Res. 231) to amend the rules of the House of Representatives by adding a new paragraph; to the Committee on Rules.

#### PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BACHARACH: A bill (H. R. 12698) granting a pension to Amelia Good; to the Committee on Invalid Pensions.

By Mr. BAIRD: A bill (H. R. 12699) granting an increase of pension to Elise Scheufler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12700) granting a pension to Hannah M. Witzler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 12701) granting a pension to Charles F. Himmelberger; to the Committee on Pensions.

Also, a bill (H. R. 12702) granting an increase of pension to Fannie C. Dwell; to the Committee on Invalid Pensions.

By Mr. BRITTEN: A bill (H. R. 12703) for the relief of Capt. Chester G. Mayo; to the Committee on Naval Affairs.

By Mr. DYER: A bill (H. R. 12704) for the relief of Frances Southard; to the Committee on Claims.

By Mr. FITZGERALD: A bill (H. R. 12705) granting a pension to Mary A. Stuck; to the Committee on Pensions.

By Mr. GOODWIN: A bill (H. R. 12706) for the relief of John William Bardsley; to the Committee on Naval Affairs.

By Mr. HESS: A bill (H. R. 12707) granting an increase of pension to Emily Harte; to the Committee on Invalid Pensions.

By Mr. KEARNS: A bill (H. R. 12708) granting a pension to Edna Liming; to the Committee on Invalid Pensions.

By Mr. KENDALL of Pennsylvania: A bill (H. R. 12709) granting an increase of pension to Elmira M. Francis; to the Committee on Invalid Pensions.

By Mr. NELSON of Wisconsin: A bill (H. R. 12710) granting an increase of pension to Elvira Pauley; to the Committee on Invalid Pensions.

By Mr. FRANK M. RAMEY: A bill (H. R. 12711) granting an increase of pension to Lucinda Mullen; to the Committee on Invalid Pensions.

By Mr. SWICK: A bill (H. R. 12712) granting an increase of pension to Ray A. Walters; to the Committee on Invalid Pensions.

#### PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7406. By Mr. BAIRD: Petition of members of Aerie No. 430, favoring enactment of Senate bill 3257; to the Committee on Labor.

7407. By Mr. DALLINGER: Petition of certain citizens of Massachusetts, praying for the enactment of legislation to prohibit the vivisection of dogs in the District of Columbia; to the Committee on the District of Columbia.

7408. By Mr. FITZGERALD: Petition signed by 15 residents of Dayton, Ohio, asking for repeal of Volstead Act; to the Committee on the Judiciary.

7409. By Mr. O'CONNELL: Petition of John Fitzgerald, president Federal Employees' Union, No. 4, New York City, favoring the passage of the Saturday half holiday for all Government employees; to the Committee on the Civil Service.

7410. Also, petition of the Federation of Jewish Women's Organizations (Inc.), New York City, opposing the passage of House bills 10669 and 11876, providing for educational requirements for prospective citizens; to the Committee on Immigration and Naturalization.

7411. Also, petition of the New York State Federation of Labor, Albany, N. Y., favoring the passage of the La Follette-Kendall bill, S. 2540 and H. R. 6603, and the resolution for a

rule pending in the Rules Committee; to the Committee on Rules.

7412. By Mr. RAMSEYER: Resolution of Woman's Christian Temperance Union of Keswick, Iowa, requesting Congress to enact a law for the Federal supervision of motion pictures; to the Committee on Interstate and Foreign Commerce.

7413. By Mr. SWICK: Petition of Mr. Richard Logan and 40 residents of Lawrence County, Pa., urging the enactment of legislation increasing pensions for Civil War veterans and their survivors; to the Committee on Invalid Pensions.

7414. Also, petition of Ulysses Veney and 60 residents of Beaver Falls, Pa., urging the enactment of legislation increasing pensions for Civil War veterans and their survivors; to the Committee on Invalid Pensions.

7415. Also, petition of Theodore D. Crouse and 11 citizens of Butler, Pa., urging the enactment of Senate bill 476 and House bill 10466, providing increased pensions for veterans of the Spanish-American War; to the Committee on Pensions.

7416. Also, petition of Mr. N. A. Yoho and 60 citizens of Ellwood City, Pa., urging the enactment of Senate bill 476 and House bill 10466, for the relief of Spanish War veterans; to the Committee on Pensions.

#### SENATE

MONDAY, June 2, 1930

(Legislative day of Thursday, May 29, 1930)

The Senate met at 12 o'clock meridian, on the expiration of the recess.

#### SPANISH WAR PENSIONS—VETO MESSAGE

The PRESIDENT pro tempore. Under the unanimous-consent agreement entered into on May 29 the question is, Shall the bill S. 476 pass, the objections of the President of the United States to the contrary notwithstanding?

Mr. FESS. Mr. President, I suggest the absence of a quorum. The PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll, and the following Senators answered to their names:

Ashurst	Gillett	McKellar	Simmons
Baird	Glass	McMaster	Smoot
Barkley	Goff	McNary	Steck
Bingham	Goldsborough	Metcalf	Steiwer
Blaine	Gould	Moses	Stephens
Blease	Greene	Norbeck	Sullivan
Borah	Hale	Norris	Swanson
Bratton	Harris	Nye	Thomas, Idaho
Broussard	Harrison	Oddie	Thomas, Okla.
Capper	Hastings	Overman	Townsend
Caraway	Hawes	Patterson	Trammell
Connally	Hayden	Phipps	Tydings
Copeland	Hebert	Pine	Vandenberg
Couzens	Heflin	Pittman	Wagner
Cutting	Howell	Ransdell	Walsh, Mass.
Dale	Johnson	Reed	Walsh, Mont.
Deneen	Jones	Robinson, Ind.	Waterman
Dill	Kean	Robison, Ky.	Watson
Fess	Kendrick	Sheppard	Wheeler
Frazier	LaFollette	Shipstead	
George	McCulloch	Shortridge	

The PRESIDENT pro tempore. Eighty-two Senators have answered to their names. A quorum is present.

Mr. McKELLAR. Mr. President, I ask unanimous consent to have printed in the RECORD, without reading, certain telegrams, and so forth, in reference to the Spanish War veterans' bill and the President's veto message.

There being no objection, the telegrams, and so forth, were ordered to be printed in the RECORD, as follows:

WASHINGTON, D. C., May 29, 1930.

Senator KENNETH McKELLAR,

United States Senate, Washington, D. C.:

More than 200,000 Spanish War veterans are greatly surprised and disappointed by veto of S. 476. This measure, just and fair in its terms, was unanimously passed by House and Senate. We appeal to you to vote for and urge the passage of S. 476 over the veto.

E. S. MATTHIAS,

Chairman Legislative Committee United Spanish War Veterans.

JACKSBORO, TENN., May 29, 1930.

Hon. K. D. McKELLAR,

Washington, D. C.

DEAR SENATOR: Hope you will assist in passing S. 476 over President's veto.

Very truly,

WINSTON BAIRD.